

INSTRUCTIONS FOR SUPPLEMENTAL PETITION TO ESTABLISH PARENTING PLAN (WITH
TIME-SHARING SCHEDULE) IN A CASE TO WHICH THE FLORIDA
DEPARTMENT OF REVENUE (DOR) IS A PARTY

When should this form be used?

If a Final Judgment has been entered by the court in a paternity or child support proceeding filed by the Department of Revenue (DOR), a parent may use this form to establish parental responsibility and to obtain a parenting plan with a time-sharing schedule (visitation is now known as time-sharing). This form should only be used if the court found that one parent owed a duty of support and ordered the payment of child support but did NOT enter a parenting plan addressing the issues of parental responsibility and time-sharing. If neither parent nor the Department of Revenue (DOR) has filed a petition to establish paternity or support, you must file a different form (titled Petition to Determine Paternity and for Related Relief, Florida Supreme Court Approved Family Law Form 12.983). This Supplemental Petition form is for **UNMARRIED PARENTS ONLY**.

You may wish to talk to a family law attorney before you file this Supplemental Petition form. If you use the wrong form, the court may dismiss the matter.

What should I do next?

This Supplemental Petition form and all other required forms must be typed or printed in ink. After completing the forms, you must sign the forms before a notary public or deputy clerk. You must file the original with the clerk of the circuit court. Generally, you file the request in the county and state where the original Final Judgment or Order was entered. Since you are requesting that the court CHANGE a prior Order or Final Judgment, the "caption" (the REF, UCN, and division numbers, the Petitioner's name and the Respondent's name) of each document you file should be the same as the caption on the Final Judgment or Order that was previously entered in your case.

In addition to the Supplemental Petition form, you must also fill out the following forms:

- **Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (UCCJEA)**, Florida Supreme Court Approved Family Law Form 12.902(d);
- **Civil Cover Sheet**, Florida Rules of Civil Procedure, Form 1.997. The clerk can provide this form to you; and
- proposed **Parenting Plan**, Florida Supreme Court Approved Family Law Form 12.995(a) or **Supervised/Safety Focused Parenting Plan**, Form 12.995(b). If the parents have reached an agreement, the proposed Parenting Plan attached to the Supplemental Petition form should be signed by both parents and notarized. If the parents have not reached an agreement, the proposed Parenting Plan should be signed and notarized by the parent who is filing the Supplemental Petition.

If you are also requesting that the court adjust the previously ordered child support amount in accordance with the time-sharing schedule/parenting plan entered by the court, you must also file:

- **Family Law Financial Affidavit**, Florida Family Law Rules of Procedure Form 12.902(b) or (c);
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Rules of Procedure Form 12.932. (This must be filed within 45 days of service of the Supplemental Petition unless you filed it with your Supplemental Petition). You do not need to file this form if you and the other parent have agreed not to exchange these documents; and

Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form, 12.902(e). If you do not know the other parent's income, you may file this worksheet after the other parent's financial affidavit has been filed.

For your case to proceed, you must properly notify the other parent in your case of this Supplemental Petition. Unless the other parent signs a waiver of service form, the other parent must be personally served with a copy of this Supplemental Petition. It will be the responsibility of the filing party to obtain a private process server to have the necessary paperwork served. A list of process servers can be obtained from a telephone directory or through the Pinellas or Pasco County Sheriff's Office. The clerk of the court can assist you in having this Supplemental Petition and summons served on the other parent.

You will be charged a filing fee and, unless the other parent signs the waiver of service form, a summons issuance fee and a service of process fee. Ask the clerk about this when you file your Supplemental Petition and other forms. The service of process fee is for the private process server to personally deliver this Supplemental Petition and other documents to the other parent in your case.

Depending upon the date the court's order of child support was entered or other circumstances, (i.e., if your Final Judgment was entered more than 6 months ago), it may be necessary for you to serve, by private process server, a copy of your Supplemental Petition on the Department of Revenue. For more information on serving the Department of Revenue, see section 48.111(3), Florida Statutes.

Once the other party in your case has been served with this Supplemental Petition, you must wait at least twenty (20) days for them to file an Answer to your Supplemental Petition. If an Answer is not filed within this time frame, you may ask the clerk, in writing, to enter a default.

Once an Answer has been filed or a default has been entered, you will be responsible for scheduling a hearing with the court and providing the other party with written notice of the hearing. To determine how to schedule a hearing and complete proper written notice of hearing, call: in Pinellas County, the Courts Information and Resource Center at 727-582-7200; in Pasco County, the Clerk of Circuit Court at 352-523-2411 ext. 2211 or 727-847-2411 ext. 2211. The hearing on your Supplemental Petition will probably take place before a General Magistrate of the court. If you are asking the court to adjust your child support obligation to reflect the time-sharing ordered by the court, a second hearing before the Title IV-D Child Support Hearing Officer of the court might be needed.

You will be required to attend a four (4) hour Parent Education and Family Stabilization Course within 45 days after filing your Supplemental Petition. For more information on this Course, you may call: in Pinellas County, the Court's Information and Resource Center at 727-582-7200; in Pasco County, the Administrative Office of the Courts 727-847-2411 ext. 7239.

Where can I look for more information?

Before proceeding, you should read "General Information for Self-Represented Litigants" found in the Family Law Forms section of the Florida Family Law Rules of Procedure. A copy may be obtained from the law library or from the Florida Supreme Court's website at www.flcourts.org (Family Law Forms, Self-Help).

You may also call the Community Law Program at 727-582-7480 to ask whether you qualify for free legal services, or visit the Self-Help Center sponsored by the clerk's office located on the first floor of the courthouse at 545 1st Ave. N., St. Petersburg, Florida, or on the first floor of the courthouse at 315 Court St, Clearwater, Florida. In Pasco County, you may obtain more information by visiting the Pasco Law Library located at Robert D. Sumner Judicial Center 38053 Live Oak Avenue Dade City, Florida, or West Pasco Judicial Center 7530 Little Road, New Port Richey, Florida.

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

_____,
Petitioner,

vs.

REF NO: _____
UCN: _____
DIVISION: _____

_____,
Respondent.

**SUPPLEMENTAL PETITION TO ESTABLISH PARENTING PLAN (WITH
TIME-SHARING SCHEDULE) IN A CASE TO WHICH THE FLORIDA
DEPARTMENT OF REVENUE (DOR) IS A PARTY**

I, [enter full legal name] _____, the
[only one] () Mother () Father, hereby file this Supplemental Petition in this case and certify that the
following statements are true:

1. This is a Supplemental Petition which requests that the Court determine parental responsibility and enter a Parenting Plan with a time-sharing schedule for the following minor child(ren):

Name	Birth Date	Sex
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. A Final Judgment was entered in this case in the Sixth Judicial Circuit, in Pinellas or Pasco County, Florida on _____ (enter date). The case was originated by the Florida Department of Revenue (DOR).
3. The issues of parental responsibility and time-sharing were not previously decided during the earlier proceedings when the Final Judgment referenced above was entered. **[ATTACH A COPY OF THE FINAL JUDGMENT REFERENCED IN THIS PARAGRAPH TO THIS SUPPLEMENTAL PETITION].**
4. A Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit [Florida Supreme Court Approved Family Law Form 12.902(d)] must be filed with this Supplemental Petition. **[FILE A UCCJEA REFERENCED IN THIS PARAGRAPH ALONG WITH THIS SUPPLEMENTAL PETITION].**

5. It is in the minor child(ren)'s best interests that parental responsibility be [*only one*]:
 shared by both Mother and Father; or
 awarded solely to [*only one*] Mother Father. Shared parental responsibility would be harmful to the minor child(ren) because [*explain below*]:

6. A proposed Parenting Plan which is attached to this Supplemental Petition serves the best interests of the minor child(ren) and [*only one*]:
 has been signed by both parents because both parents agree to the Parenting Plan which is attached; or
 has only been signed by the parent who is filing this Supplemental Petition because both parents have not agreed to this proposed Parenting Plan.

7. The proposed Parenting Plan, which is attached to this Supplemental Petition, contains a time-sharing schedule that it is in the best interests of the minor child(ren) and [*only one*]:
 is not a safety-focused plan; or
 is a safety-focused plan.

[ATTACH THE PROPOSED PARENTING PLAN TO THIS SUPPLEMENTAL PETITION].

8. If child support was previously ordered, I request that the child support obligation be adjusted in accordance with the time-sharing schedule/Parenting Plan entered by the Court. **[FILE A FINANCIAL AFFIDAVIT, A CHILD SUPPORT GUIDELINES WORKSHEET, AND A CERTIFICATE OF MANDATORY DISCLOSURE ALONG WITH THIS SUPPLEMENTAL PETITION].**

WHEREFORE, the parent who is filing this Supplemental Petition respectfully requests that the Court [*all that apply*]:

- Enter a Parenting Plan which establishes both parental responsibility and a time-sharing schedule that will serve the best interests of the minor child(ren);
 Adjust child support, if previously ordered, based on the time-sharing schedule/Parenting Plan entered by the Court;
 Other: _____

By filing this Supplemental Petition and requesting relief from the Court, I agree to entry of such further orders, temporary or permanent, as are authorized by law and are shown to be in the best interests of the minor child(ren). **I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this Supplemental Petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated: _____

Signature of Parent Filing Supplemental Petition

Printed name: _____

Address: _____

Phone number: _____

STATE OF FLORIDA)
COUNTY OF PINELLAS)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who personally appeared before me at the time of notarization, and is personally known to me, or who has produced _____ as identification and who did take an oath and state that each of the above statements is true.

My commission expires:

NOTARY PUBLIC - STATE OF FLORIDA

(Print, type, or stamp commissioned name of notary)

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

I, [name of nonlawyer] _____, a nonlawyer, located at [street] _____ [city] _____ [state] _____, [phone] _____, helped [name] _____, who is the [✓ only one] () Petitioner () Respondent, fill out this form.