

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.gov (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 Legal Resource Center 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.