

CASE PROGRESSION CHECKLIST SUPPLEMENTAL PETITIONS

This checklist has been prepared to assist you with the necessary procedure for bringing your case to final hearing. This checklist lists the minimum requirements and, even though fairly specific, may not be all-inclusive for every case. **It is not intended, and should not be substituted for proper legal advice from an attorney.** You should, however, find that making sure all necessary steps noted below are followed would reduce procedural difficulties and time delays.

I. INITIAL FILING

A. Required Forms

Supplemental Petition (check one):

- ☐ Supplemental Petition to Modify Parental Responsibility, Visitation or Parenting Plan/Time-Sharing and Other Relief – Form 12.905(a)
- ☐ Supplemental Petition for Modification of Child Support – Form 12.905(b)
- ☐ Supplemental Petition for Modification of Alimony – Form 12.905(c)
- ☐ Supplemental Petition to Establish Parenting Plan (with Time-Sharing Schedule) in a case to which The Florida Department of Revenue (DOR) is a Party – Local Form

Forms Filed with Supplemental Petition (not all forms are required for all case types):

- ☐ Civil Cover Sheet (local requirement)
- ☐ Uniform Child Custody Jurisdiction and Enforcement Affidavit (UCCJEA) – Form 12.902(d)
- ☐ Notice of Social Security Number – Form 12.902(j)
- ☐ Notice of Related Cases - Form 12.900(h)
- ☐ Supplemental Information Regarding Parties (local requirement)
- ☐ Financial Affidavit – Form 12.902(b) **or** 12.902(c). This must be filed within 45 days of service of petition on the Respondent, if not filed at time of the petition. (Financial Affidavit cannot be waived)
- ☐ Certificate of Compliance with Mandatory Disclosure – Form 12.932. (This must be filed within 45 days of service of the petition on the Respondent, if not filed at the time of the petition)
- OR-**
- ☐ Waiver of Mandatory Disclosure signed by both parties (cannot waive Financial Affidavit)

_____ Parenting Plan – Form 12.995(a)

-OR-

_____ Supervised/Safety-Focused Parenting Plan – Form 12.995(b)

_____ Child Support Guidelines Worksheet – Form 12.902(e), if you are asking that child support be ordered in the Final Judgment. (If you do not know your spouse's income, you may file this worksheet after his or her financial affidavit has been served to you)

_____ Disclosure from Non-Lawyer (This form is used when someone other than a Lawyer or Paralegal assists you with completing your documents)

_____ Summons: Personal Service on an Individual - Form 12.910(a)

_____ Process Service Memorandum - Form 12.910(b)

B. Required Fees

_____ Filing fee paid or waiver granted by Clerk or Court

_____ Fees for process service paid directly to a Process Server. The cost for service is set by the process server, the filing party must obtain service procedures including fees from the process server. A complete list of Pinellas County process servers can be obtained online at www.MyPinellasClerk.org

II. SERVICE OF PROCESS

A. Personal Service

_____ Summons returned "served" and filed by Clerk – Form 12.910(a)

_____ After 20 days have passed from the day Respondent was served, check to see whether Respondent filed an answer or any paper within the 20 day period. If yes, you may check this item

(If both checked, skip to Section III; if no answer filed, go to "B")

_____ Summons returned "not served" and filed by Clerk – Form 12.910(a)

_____ Request Clerk issue an alias summons, if address is known

(If proper service is not obtained, the court cannot hear your case.)

_____ Constructive service also known as "service by publication." This can be used only if you do not know where the other party is. This can be a very complicated area of the law.

_____ Affidavit of Diligent Search and Inquiry – Form 12.913(b)

_____ Affidavit of Diligent Search – Form 12.913(c)

_____ Notice of Action appropriate to the type of case being filed. You will need to find an appropriate form in the law library or seek legal advice to draw up the appropriate form yourself.

If constructive service is used, other than granting a dissolution, the court may grant only limited relief. This is a complicated area of the law and you may wish to consult with an attorney before using constructive service.

B. Default

_____ Respondent failed to answer or file any paper after service

_____ Motion for Default filed with Clerk – Form 12.922(a) (no sooner than 20 days after date of Service),

_____ Default entered by Clerk – Form 12.922(b),
And

_____ Affidavit of Military Service – Form 12.912(b)

_____ Respondent filed a form but not an answer you will need to motion the court to enter default and set a hearing on your motion.

Only now is the case potentially ready for setting trial/final hearing.

III. SETTING A HEARING

After Answer is filed or Clerk enters default:

_____ Call Family Law at (727)582-7200 to request final hearing. Your court records will be checked for completeness and you will either be given a court calendar date or you will be given further instructions for setting your final hearing. If the other party filed a counter-petition you are required to respond.

_____ Depending upon which Judge your case is assigned to, you may be required to prepare the Notice of Hearing. The original Notice of Hearing will be filed with the Clerk's Office. You will need to provide a copy to the other party. The copy must be received no later than 5 days prior to the hearing.

If you do not properly complete this step, your hearing could be delayed.

Please make arrangements for child care if applicable. Children are not allowed to attend without prior Order, per Fla.Fam.L.R.P. 12.407