INSTRUCTIONS FOR LOCAL FAMILY LAW FORM
JOINT PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF

When should this form be used?

This form should be used jointly by a birth mother and father to ask the court to establish **Paternity, a time-sharing schedule**, and/or **child support** of a minor child or children. This means that you are trying to legally establish who is the father of the child(ren).

This form should be typed or printed in black ink. After completing this form, you should both sign the form before a **notary public** . You should **file** the original with the **clerk of the circuit court** in the county where you live and keep a copy of your records.

What should I do next?

For the purposes of handling this case you should agree upon who will be the petitioner and handle all the matters of filing the pleadings and setting up the hearing. Since this is a joint form, service on the Respondent is not required. The petitioner should call to request a hearing date a few days after the petition has been filed. It is the petitioner's responsibility to notify the other party of the hearing by using a **Notice of Hearing (General)**, Florida Family Law Form 12.9223, or other appropriate notice of hearing form.

Where can I look for more information?

Before proceeding, you should read "General Information for Pro Se Litigants" found at the beginning of the Florida Family Law forms. The words that are in **"bold underline"** in these instructions are defined there. For further information, see chapter 742, Florida Statutes.

Special notes…

More than one child of the same alleged father may be listed on a single petition. However, if you are filing a paternity action involving more than one possible father, a separate petition must be filed for each alleged father.

If you wish to have the Court order a scientific paternity test, one of you should file a **Motion for Scientific Paternity Testing**, Florida Family Law Form 12.983(e). This is used to ask the court to order a scientific test to determine who is the child(ren)'s father.

If the father signed papers at the hospital acknowledging, under oath, that he was the father paternity was established as a matter of law. This should be checked on page 2, section 9a on this form.

If the paternity of a child who was conceived or born during a marriage is at issue, the court may appoint a **guardian ad litem** to assist the court in this matter to protect the rights of the child.

With this petition, you must file the following and provide a copy to the other party:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit** , Florida Family Law Form 12.902(d).
- **Notice of Social Security Number**, Florida Family Law Form 12.902(j). (to be filed by both parties)
- **Financial Affidavit**, Florida Family Law Form 12.902(b)(c). (This must be filed within 45 days if not filed with the petition.) (to be filed by both parties)
- **Certificate of Compliance with Mandatory Disclosure**, Florida Family Law Form 12.932. (This must be filed within 45 days, if not filed with the petition, unless you and the other party have agreed not to exchange these documents.) (see local form –Waiver of Mandatory Disclosure)
- **Child Support Guidelines Worksheet**, Florida Family Law Form 12.902(e). (If you do not know the other party's income, you may file this worksheet after his or her financial affidavit has been filed)
- **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, a signed and notarized Parenting Plan should be attached. If the parents have not reached an agreement, a proposed Parenting Plan **may** be filed.

Parenting Plan and Time-Sharing… The judge will decide the parenting arrangements based on the child(ren)'s best interests. Regardless of whether there is an agreement between the parties, the court reserves jurisdiction to modify issues relating to minor or dependent child(ren).

The judge may request a **parenting plan recommendation** or appoint a **guardian ad litem** in your case. This means that a neutral person will review your situation and report to the judge concerning parenting issues. The purpose of such intervention is to be sure that the best interest of the child(ren) are being served. For more information, you may consult sections 61.401-61.405, Florida Statues.

Listed below are some terms with which you should become familiar before completing your petition. **If you do not fully understand any of the terms below or their implications, you should speak with an attorney before going any further.**

- **Shared Parental Responsibility**
- **Sole parental Responsibility**
- **Supervised Time-Sharing**
- **No contact**
- **Parenting Plan**
- **Parenting Plan Recommendation**
- **Time-Sharing Schedule**

Many circuits require that parents of a minor or dependent child(ren) who are involved in divorce or paternity actions attend a **parenting course** and/or **mediation** before being allowed to schedule a final hearing. You should check with your local clerk of court's office, family law intake staff, or judicial assistant for more information on the parenting course and mediation requirements in your area.

Child Support… The court may order one parent to pay **child support** to assist the other parent in meeting the child(ren)'s material needs. **Both parents are required to provide financial support**, but one parent may be ordered to pay a portion of his or her support for the child(ren) to the other parent.

If you are requesting **parental responsibility** for one or more children, you should request child support in your petition. Florida has adopted guidelines for determining the amount of child support to be paid. These guidelines are based on the combined income of **both** parents and take into account the financial contributions of both parents. You should both file a **financial affidavit**. From your financial affidavits, you should be able to calculate the amount of child support that should be paid. Because the child support guidelines take several factors into consideration, change over time, and vary from state to state, your child support obligation may be more or less than that of other people in seemingly similar situations.

Final Judgments… These family law forms contain a **Final Judgment of Paternity**, Florida Family Law Form 12.983(g), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, section, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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 a **Disclosure from Nonlawyer**, Florida Family Law 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 AN FOR _____COUNTY, FLORIDA

_____, Petitioner,

Case No: _____
Section: _____

v

_____, Respondent.

JOINT PETITION TO DETERMINE PATERNITY AND FOR RELATED RELIEF

Petitioner, {full legal name}_____, and Respondent, {full legal name}_____, being sworn, certify that the following information is true:

This is an action for paternity and to determine parental responsibility, time-sharing, and child support under chapter 742, Florida Statutes.

SECTION I.

1. The Petitioner's are the mother and biological father of the following minor child(ren):

	Name	**City/State of Birth**	**Birth Date**	**Sex**
(1)	_____	_____	_____	_____
(2)	_____	_____	_____	_____
(3)	_____	_____	_____	_____
(4)	_____	_____	_____	_____
(5)	_____	_____	_____	_____
(6)	_____	_____	_____	_____

2. Petitioner currently lives at {street address, city, state}_____ _____.

3. Respondent currently lives at: {street address, city, state}_____ _____.

4. Both parties are over the age of 18, and neither is, nor has been within a 30-day period immediately prior to this date, a person in the military service of the United States as defined by Section 521 of the Servicemembers Civil Relief Act.

5. Neither Petitioner nor Respondent is mentally incapacitated.

6. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Family Law Form 12.902(d) , is filed with this petition.

7. A completed Notice of Social Security Number, Florida Family Law Form 12.902(j), is filed with this petition for both parties.

8. A completed Financial Affidavit, Florida Family Law Form 12.902(b)(c) is, or will be, filed by both parties.

9. **Paternity Facts.**
[check **one** only]
____ a. Paternity has previously been established as a matter of law.
____ b. The parties engaged in sexual intercourse with each other in the month(s) of (list month(s) and years(s)_____ at (city and state)_____.
As a result of the sexual intercourse, ( ) Petitioner ( ) Respondent conceived and gave birth to the minor child(ren) named in paragraph 1. ( )Petitioner ( ) Respondent is the natural father of the minor child (ren). The mother did not engage in sexual intercourse with any other man.

10. The mother ( ) was ( ) was not, married at the time of the conception and/or birth of the minor child(ren) named in paragraph 1. If the mother was married, the name and address of her husband at the time of conception and/or birth is: _____
_____

SECTION II. PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING

1. The minor child(ren) currently reside(s) with ( ) Mother ( ) Father ( ) Other: (explain)_____
_____.

2. **Parental Responsibility.** It is in the child(ren)'s best interests that parental responsibility be: [check **one** only]
___ a. shared by both Father and Mother.
___ b. awarded solely to ( ) Father ( ) Mother. Shared parental responsibility would be detrimental to the child(ren) because:
_____
_____
_____.

3. **Parenting Plan and Time-Sharing.** It is in the best interests of the child(ren) that the family be ordered to comply with a Parenting Plan that ( ) includes ( ) does not include parental time-sharing with the child(ren). The Petitioner states that it is in the best interest of the child(ren) that:
[check **one** only]
a. ____ The attached proposed Parenting Plan should be adopted by the court.
The parties ( ) have ( ) have **not** agreed to the Parenting Plan.
b. _____ The court should establish a Parenting Plan with the following provisions:
[ ] No time-sharing for the [ ] Mother [ ] Father
[ ] Limited time-sharing with the [ ] Mother [ ] Father
[ ] Supervised time-sharing for the [ ] Mother [ ] Father
[ ] Supervised or third-party exchange of the child(ren).

[ ] Time-Sharing Schedule as follows:

_____
_____
_____

Explain why this schedule is in the best interests of the child(ren):

_____
_____
_____

4. The minor child(ren) should
[check **one** only]

____ a. retain his/her (their) present name(s).

____ b. receive a change of name as follows:

Present name(s)	be changed to
(1)_____	(1)_____
(2)_____	(2)_____
(3)_____	(3)_____
(4)_____	(4)_____
(5)_____	(5)_____
(6)_____	(6)_____

SECTION III. CHILD SUPPORT

[check **all** that apply]

____ 1. Petitioner ( ) Respondent ( ) requests that the Court award child support as determined by Florida's child support guidelines, section 61.30, Florida Statutes. A completed **Child Support Guidelines Worksheet**, Florida Family Law Form 12.902(e), is, or will be, filed. Such support should be ordered retroactive to
[check **one** only]

____ a. the two years before the date of filing of this petition.

____ b. the date of filing of this petition.

____ c. Other: {date} _____. {Explain}

_____

____ 2. Petitioner ( ) Respondent ( ) requests that the Court award a child support amount that is more than or less than Florida's child support guidelines. Both parties understand that a **Motion to Deviate from Child Support Guidelines**, Florida Family Law Form 12.943, must be completed and filed by one of the parties before the Court will consider this request.

____ 3. Both parties jointly request that medical/dental insurance coverage for the minor child(ren) be provided by:
[check **one** only]

____ a. Father

____ b. Mother

____ 4. Both parties jointly request that uninsured medical/dental expenses for the child(ren) be paid by:
[check **one** only]
____ a. Father
____ b. Mother
____ c. Father and Mother each pay one-half.
____ d. Father and Mother each pay according to the percentages in the **Child Support Guidelines Worksheet**, Florida Family Law Form 12.902(e).
____ e. Other {explain}_____
_____

____ 5. Both parties jointly request that life insurance to secure child support be provided by:
[check **one** only]
____ a. Father
____ b. Mother
____ c. Both

____ 6. ( ) Petitioner ( ) Respondent ( ) Both has (have) incurred medical expenses in the amount of $_____on behalf of the minor child(ren), including hospital and other expenses incidental to the birth of the minor child(ren). There should be an appropriate allocation or apportionment of these expenses.

____ 7. ( ) Petitioner ( ) Respondent ( ) Both has (have) received past public assistance for this (these) minor child(ren).

PETITIONER'S AND RESPONDENT'S REQUEST

1. Petitioner and Respondent request a hearing on this petition and understand that they must both attend the hearing.
2. Petitioner and Respondent requests that the Court enter an order that:
[check **all** that apply]

____ a. establishes paternity of the minor child(ren), ordering proper scientific testing, if necessary;
____ b. adopts or establishes a Parenting Plan containing provisions for parental responsibility and time-sharing for the minor or dependent child(ren);
____ c. awards child support, including medical/dental insurance coverage for the minor child(ren);
____ d. determines the appropriate allocation or apportionment of all expenses incidental to the birth of the child(ren), including hospital and medical expenses;
____ e. determines the appropriate allocation or apportionment of all other past, present, and future medical and dental expenses incurred or to be incurred on behalf of the minor child(ren);
____ f. changes the child(ren)'s name(s);
____ g. other relief as follows:_____
_____;

and grants such other relief as may be appropriate and in the best interests of the minor child(ren).

We understand that we are swearing and affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

_____
Signature of petitioner
Printed name:_____
Address:_____
City, State, Zip:_____
Telephone Number:_____
Fax Number_____

STATE OF FLORIDA
COUNTY OF _____
Sworn to or affirmed and signed before me on _____by_____.

____ Personally known
____ Produced identification
Type of identification produced

_____
NOTARY PUBLIC-STATE OF FLORIDA

_____
[print, type, or stamp commissioned name of notary]

We understand that we are swearing and affirming under oath to the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

_____
Signature of respondent
Printed name:_____
Address:_____
City, State, Zip:_____
Telephone Number:_____
Fax Number_____

STATE OF FLORIDA
COUNTY OF_____
Sworn to or affirmed and signed before me on _____by_____.

____ Personally known
____ Produced identification
Type of identification produced

_____
NOTARY PUBLIC-STATE OF FLORIDA

_____
[print, type, or stamp commissioned name of notary]