



TEMPORARY CUSTODY OF MINOR CHILD(REN) BY EXTENDED FAMILY – AFFIRMATIVELY FILING

Forms Needed

Some of the forms you will need initially can be found at: www.flcourts.org under the heading “Family Law Forms.” Other forms in this packet are Local Forms that can be obtained at the office of the Family Court Services.

Those initial forms which you will need and which can be found at www.flcourts.org are:

- 12.902(d)-Uniform Child Custody Jurisdiction and Enforcement Act Affidavit (03/09)
- 12.902(b) or 12.902(c)-Family Law Financial Affidavit (09/06)
 - Use 12.902(b) if your gross income is less than \$50,000 per year
 - Use 12.902(c) if your gross income is \$50,000 or more per year
- 12.910(a)-Summons: Personal Service on an Individual (09/00)
- 12.913(b) Affidavit of Diligent Search and Inquiry (09/00)

The following additional required forms can be obtained locally from Family Court Services:

- Petition for Temporary Custody of Minor Child(ren) by Extended Family
- Consent of Legal or Natural Father to Temporary Custody of Minor Child(ren) with Extended Family
- Consent of Mother to Temporary Custody of Minor Child(ren) by Extended Family
- Notice of Action for Temporary Custody of a Minor by Extended Family
- Motion to Set Final Hearing on Petition for Temporary Custody of Minor Child(ren) by Extended Family
- Final Order on Petition for Temporary Custody of Minor Child(ren) by Extended Family

Instructions

Complete the above forms
Have the forms notarized

Make at least 2 copies of each form and take all of them to the Clerk of Courts and ask the clerk to stamp all of them

The originals will be filed with the Clerk of Courts

One copy of each form will be served upon the opposing party(ies)

Keep one copy of each form for yourself

If you believe at the time you file your case that you may qualify under the federal poverty guidelines, you may apply for indigency status at the Clerk of Courts office. This will allow the Clerk to waive your filing fees.

The party you are serving will have 20 calendar days from the date s/he is served to file an Answer. If s/he does not file an Answer within 20 days, you can file form 12.922(a), Motion for Default and form 12.912(b), Non-Military Affidavit if the other party is not on active duty in the military service. After that, you can contact Family Court Services in your county to assist you in scheduling your final hearing.

If the other party files an Answer and Counterpetition, you will need to file form 12.903(d), Answer to Counterpetition within 20 days of the date on the Answer and Counterpetition. Family Court Services can assist you in scheduling your final hearing.

If a default is not entered, Family Court Services may require you to file other forms. The forms can be found at the website above or www.coj.net. Type the words "required local forms" next to "search" and click on "Required Local Forms."

Filing Fees

There are filing fees associated with filing your case. If you do not have the money to pay for the filing fee, you can request a fee waiver by filing an Application for Determination of Civil Indigent Status which is also available at www.flcourts.org. If your application is denied, you must pay the entire filing fee before your case can be filed.

Clerk of Courts:

Duval County Clerk of Court
501 West Adams St., Rm.2474
Jacksonville, FL 32202

Clay County Clerk of Courts
P.O. Box 698
Green Cove Springs, FL 32043

Nassau County Clerk of Courts
76347 Veteran's Way
Yulee, FL 32097