

Family Case Management Manual



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Version 2.0

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These committee members lent countless hours and their experience working with families to oversee the creation of this manual.

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-

1. What is Case Management?

Family Case Management refers to the entire set of actions that a court takes to monitor and control the progress of cases, from initiation through post-disposition work, to ensure that families receive the services they need as they progress to a fair and just resolution of their case and to make the best and highest use of limited judicial resources.

For maximum effectiveness in working with families, cases must be assessed at the earliest possible time to match parties and cases with the judicial action, resources and services that are most appropriate for the family.

Case Management teams perform case reviews through all phases of a case:

- A. Intake and, through the application of a validated triage tool, early case track assignment to one of the following racks:
 - Streamlined
 - Tailored Services
 - Judicial/Specialized
- B. Track case for compliance of service of process
- C. Monitor responses
- D. Create a tailored case management plan according to time standards
- E. Ensure that cases are prepared for trial

2. Initial Implementation – Streamlined Track

This manual is designed to support the initial implementation of the Streamlined Track. The manual will subsequently be updated to include a triage process at the time a response is filed, and implementation of the Tailored Services and Judicial/Specialized Tracks. It is expected that some functions that are completed manually, primarily by Case Managers, in this and future iterations, will convert to automated processes. Specifically, the long-term goal is to automate most, if not all, of the triage process. Therefore, it is expected that roles and specific job duties will evolve over time.

The Streamlined Case Track consists of three different groups of cases:

- Cases that are resolved through the Uncontested Dockets (UCD),
- Cases that are resolved by default or dismissal, and
- Cases that are triaged for a Streamlined resolution at the time that a response and/or early settlement agreements are filed.

3. Expected Results

Effective Family Case Management is intended to:

- Provide for structured and supported court management of cases.
- Reduce time to disposition and judicial caseloads.
- Improve opportunities for targeted case preparation including reading briefs, reviewing the status docket, and the preparation of orders.
- Improve satisfaction and reduce stress for litigants, attorneys, judges, and staff as a result of better process management, clear expectations, and empowered decision-making.
- Provide training for case managers.

4. Roles

- The Self-Help Center staff's primary role is assisting unrepresented litigants complete and file the documents necessary to proceed through uncontested resolutions.
- Case Managers monitor all cases for compliance with court orders, case progression, service, and directing cases to default, or dismissal. Upon the filing of a response without agreement or with partial agreement, Case Managers triage cases for eligibility for the Streamlined Track.
- The in-house Mediation Department provides mediation services to litigants that are assigned to the Streamlined Track, pursuing full or partial settlement of the issues.

5. Intake **Post 30 days**

i *Case management and list manager reports help with establishing early case control. Reports generated by case type and defined criteria, such as specific event codes, will identify newly filed paternity, divorce, time-sharing, and dissolution of marriage cases that can be assigned to the streamlined track.*

Step 1: Retrieve applicable case list from the case management system or Judicial Viewer¹:

For each case in the list, proceed to Step 2.

¹ Case management and list manager reports help with establishing early case control. Reports generated by case type and defined criteria, such as specific event codes, will identify newly filed paternity, divorce, time-sharing, and dissolution of marriage cases that can be assigned to the streamlined track.

Step 2: Identify case information:

Determine relevant case information, to include the following:

- Parties
- Number of parties in the case
- Names of parties in the case
- Case number
- Case type

Step 3: Related Cases

- A. If a party has filed a Notice of Related Cases, verify that they are related cases and, if necessary, relate the cases in Odyssey.
- B. Determine if the parties have any other active dissolution, custody, paternity, adoptions, or protective order cases. If so, prepare the appropriate Case Transfer Order and relate the cases in Odyssey.

Step 4: Record case information

- Review case events and pleadings in file for tracking and monitoring (tickler system) of events needed to progress case, including:
 - Summons Information
 - Service Information

Step 5: Review Case Streamlined Daily Filing Reports to confirm assignment to Streamlined Track

Simplified Daily Filing Report

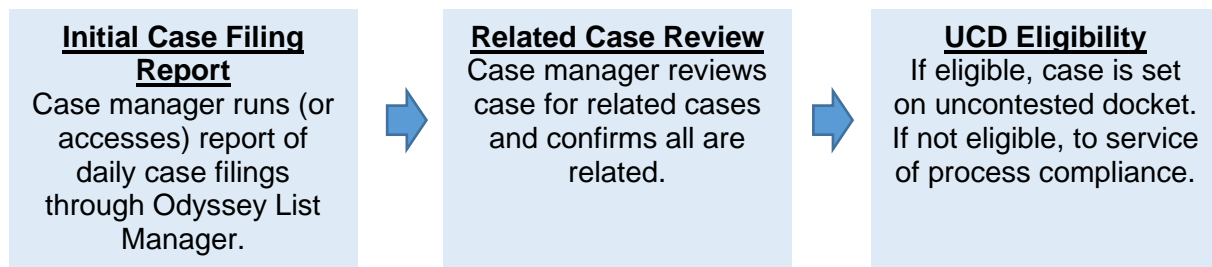
- A. Simplified Daily Case Filing Report.
- B. Dissolution of Marriage Daily Case Filing Report (Low Assets)
- C. Dissolution of Marriage Daily Case Filing Report
- D. Other Petition Daily Case Filing Report (Temporary Custody Cases)
- E. Paternity Daily Case Filing Report

If both parties are self-represented, prepare the judgment and forward the case to be set on the appropriate Case Manager's Uncontested Review Calendar.

If one or both parties are represented, set the case on the appropriate Judge's Uncontested Docket Calendar ("UCD Calendar").

If none of the above apply, do not set on a Track, and proceed to Service and Response sections.

Phase 1 - Intake



6. Tracking Service of Process Compliance **Post 30-120 days**

Case Managers proceed to review streamlined cases to:

Step 1: Retrieve applicable case list from the case management system or Judicial Viewer²:

For each case in the list, proceed to step 2.

Step 2: Identify the number of Parties

Determine the number of parties in the case.

² Tyler Odyssey List Manager and Judicial Viewer are available to users to manually generate case lists from these database resources. In the future, these reports may be automatically generated or provided to Case Managers. Once the technical method for creating and delivering these lists is established, updates to the manual will reflect the list name and how and when it is to be accessed.

Step 3: Summons Review

Review file for Summons or proof of payment to issue Summons for each party in the case.

Step 4: Summons Compliance

If a name change case for a minor child or a family and no Summons issued:

- Prepare Order Directing Service of Process

If Summons has been issued, review file for either:

- Return of Service
- Notice of Publication
- Proof of Service
- Notice of Appearance
- Response, Answer and Waiver

If anything is missing, issue an Order to File.

Step 5: Service Compliance

Verify each Respondent has the following:

- Summons Issued
- Proof of Service:
 - Return of Service
 - Notice of Publication/Proof of Publication/Non-Military Affidavit/Affidavit of Diligent Search
 - Notice of Appearance
- Response, Answer and Waiver

If anything is missing, issue an Order to File.

Step 6: No Service Compliance after 20 days

Prepare an Order Directing Service of Process for each party if there is no:

- Return of Service
- Notice of Publication
- Proof of Service
- Notice of Appearance
- Response

Step 7: After 120 days from Case Filing (see Rule 12.070)

If after 120 days from case filing or 20 days after the issuance of the **Order Directing Service of Process**, whichever is longer:

- Any party in the case has not been served:
 - Prepare an **Order of Dismissal** dismissing the case for lack of service for that party.

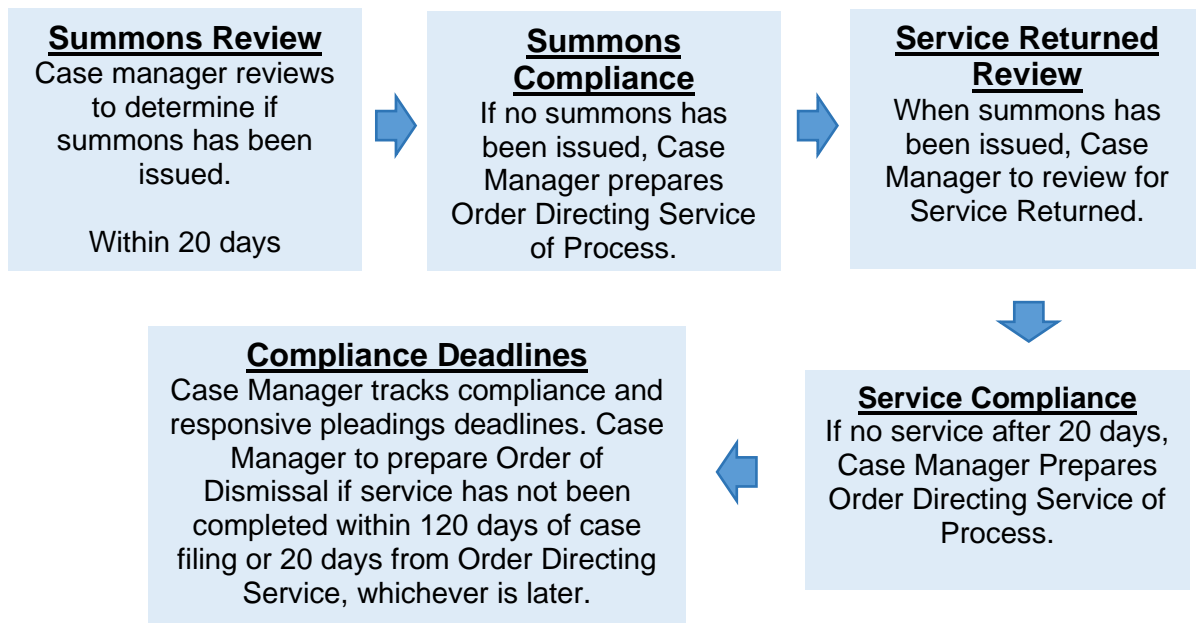
6a. Generate Reports for Tracking and Monitoring (“tickler system”) Post 30-120 days

Step 1: Generate Odyssey CMS Tickler to monitor compliance:

- Order to File: Case Manager [Flag OTF Report](#) Post 15 days of OTF
- Order to Progress Case: Case Manager Flag OTP Report Post 30 days of OTP
- Order Directing Service of Process: Case Manager Flag OTPS Post 120 days of OTPS

Step 2: Configure Tickler Generated Reports to automatically generate by due date.

Phase 2 - Service



7. Monitoring Responses Post 180 days

Step 1: Retrieve applicable case list from the case management system or Judicial Viewer³:

Review each case to identify cases with Responses and those without.

Step 2: Compliance with the Florida Rules of Family Law Procedure

After 20 days of Service, if no Responses filed and as appropriate, staff shall prepare:

- Order to File (missing documents)
- Order to Progress based on eligibility for default against Respondent

7a. Monitoring Responses: Default Post 180 days

Step 1: Determine Default Eligibility

If a Respondent fails to file any of the documents below, they are eligible for default after 20 days of service:

- Response (Answer)
- Motion for Extension of Time
- Motion to Dismiss
- Other Motions (Motion to Quash, Jurisdictional, etc.)
- Order to Progress based on eligibility for default against Respondent

Step 2: Review file to determine if Petitioner has moved for entry of default

Scenario 1: Motion for Judicial Default Filed

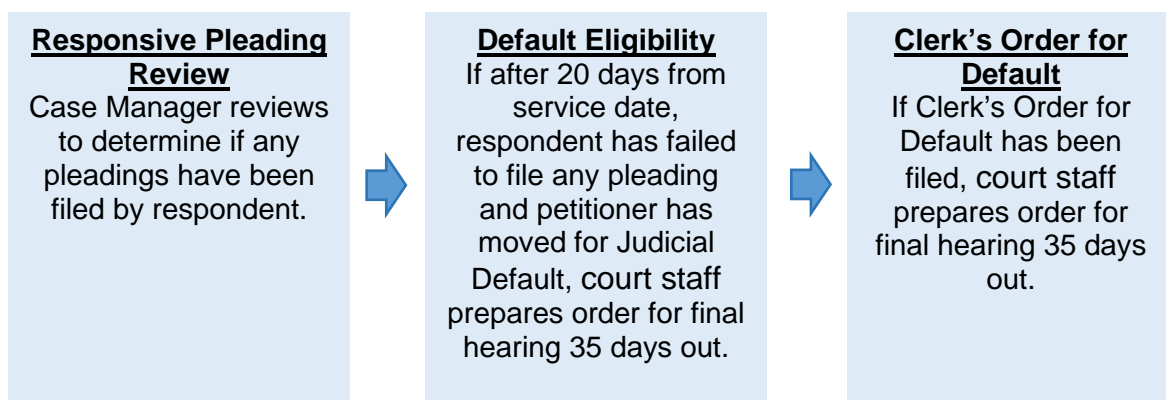
- Review motion and attached documents
- Prepare Order of Default
- Note: If all respondents in the case are default eligible and a Motion for Judicial Default has been filed for each, court staff prepares an Order Setting Case for Final Hearing, setting the hearing 35 days out

³ Existing case management systems, Odyssey and Judicial Viewer, are used to manually generate reports from internal data systems. In the future, these reports may be automatically generated or provided to Case Managers. Once the technical method for creating and delivering these lists is established, updates to the manual will reflect the list name and how and when it is to be accessed.

Scenario 2: Motion for Clerk's Default Filed

- Track and Monitor for Clerk Order
- If granted for Petitioner: court staff prepares an Order Setting Case for Final Hearing, setting the hearing 35 days out
- If denied: Prepare an Order to Supplement Clerk's Default to cure the issue

Phase 3A – Filing of Responsive Pleading: Default Eligibility



7b. Monitoring Responses: Motion Filed **Post 180 days**

Step 1. Pull up the list of applicable cases.⁴

Scenario 1: Motion for Extension: Respond to Petition

If a Motion for Extension of Time to Respond to Petition has been filed, Case Manager to prepare Order Granting Motion for 20 days or specific reasonable time requested. No blanket extensions.

Scenario 2: Non-Compliance with Order Extending Time to Respond to Petition

If Respondent failed to comply with Order Granting Motion for Extension of Time to Respond, Case Manager to prepare Order to Take Action (for default).

⁴ As referenced above, users currently use Odyssey List Manager to manually generate case lists. In the future, this information may be automatically generated or provided to Case Managers. Once the technical method for creating and delivering these lists is established, updates to the manual will reflect the list name and how and when it is to be accessed.

Scenario 3: Subsequent Motions for Extension of Time to Respond to Petition

If additional Motions for Extension of Time are filed after the order granting the initial motion to extend has been issued, Case Manager to meet with Judge for review.

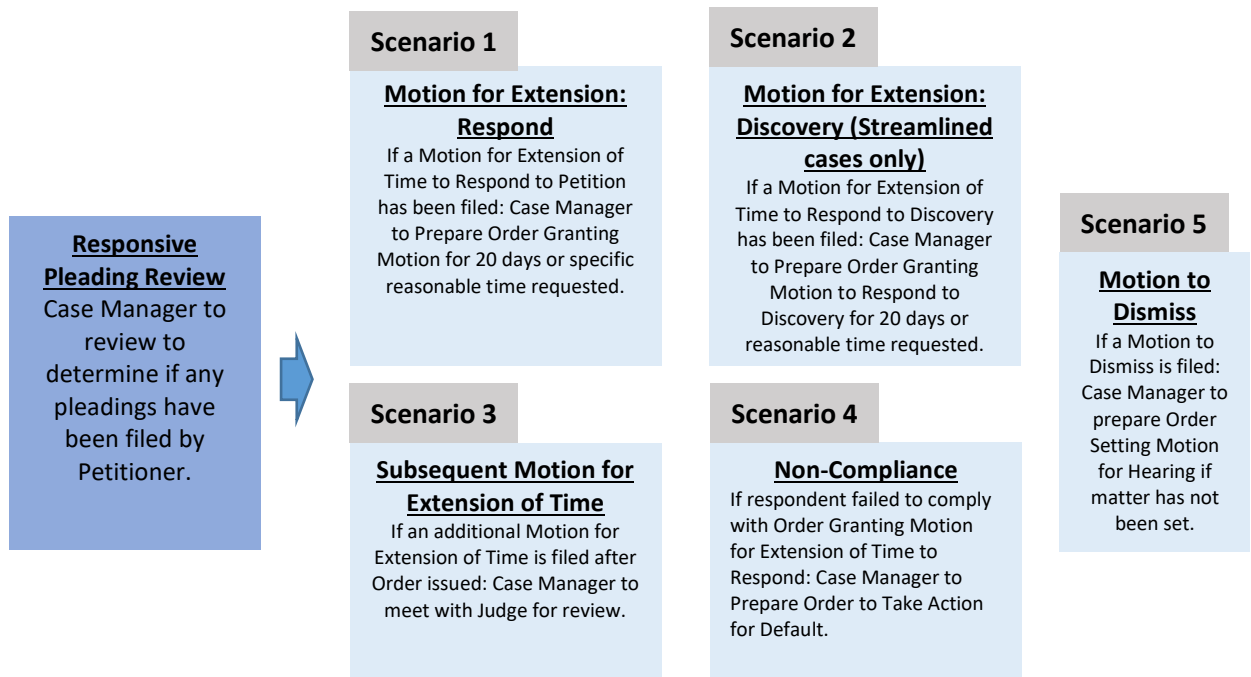
Scenario 4: Affidavit to Proceed without Hearing

If both parties are self-represented, prepare the judgment and set on the Case Manager uncontested review calendar. If one or both parties are represented, set on the Judge's Uncontested Docket.

Scenario 5: Motion for Voluntary Dismissal

If the Petitioner voluntary dismissal is filed by the Petitioner, the Clerk's Office will automatically close the case. The Case Manager should check for compliance.

Phase 3B – Filing of Responsive Pleading: Motion



7c. Monitoring Responses: Response Filed (Day TBD)

Step 1: Identify Response Filed

Identify the type of response filed by the Respondent:

- a Response (Answer)
- a Response/Waiver
- a Notice of Appearance
- a Motion to Dismiss
- a Counter Petition

If a Response is filed and the Response does not contest any issue, set for Final Hearing 35 days out.

If a Response/Waiver is filed and both parties are self-represented, prepare the judgment and set on the Case Manager Uncontested Review Calendar.

If a Response/Waiver is filed and one or both parties are represented, set the case on the Judge's Uncontested Docket.

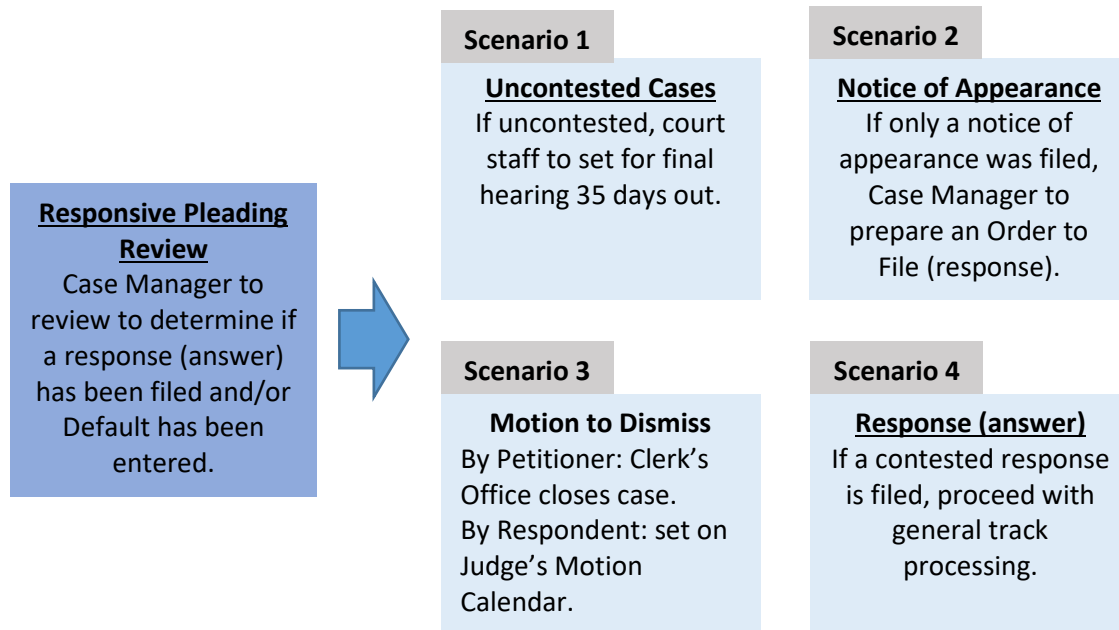
If a Notice of Appearance is filed, issue an Order to File (Response).

If a Motion to Dismiss is filed by the Respondent, the Respondent must set the motion for hearing on the Judge's Motion Calendar according to the instructions on the judge's website.

If a Response which contests one or more issues or a counter petition is filed, the case will proceed on the general case management track (*see below*: the "general" case management track will be divided into the Tailored Services and Judicial Tracks in subsequent editions of this manual).

NOTE: Future iterations of this manual will include a triage process when a contested response or counter petition is filed. Cases may be triaged to additional processes under the Streamlined Track for early judicial or other resolution or be assigned to the Tailored Services Track or Judicial Track.

Phase 3C – Filing Responsive Pleading: Response/Default



8. Caseload Status and Program Success

- Age of pending caseload – overall and by track
- Time to Disposition – overall and by track
- Clearance Rates
- Monitor data quality and accuracy, particular with open/close and date of closing
- Duration by representation status (Lawyer vs. Self-Represented) at time of Disposition
- Time standard compliance

9. Appendix A - Forms

Order Directing Service of Process

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO:

SECTION:

JUDGE:

Petitioner(s)

vs.

Respondent(s)

THIS CAUSE was reviewed by the Court for case management purposes. It affirmatively appears that Service of Process has not been perfected on one or more Respondent(s).

IT IS **ORDERED**, pursuant to Rule 12.070, Florida Family Law Rules of Procedure, that a Return of Perfected Service be filed, or an Affidavit setting forth GOOD CAUSE why service cannot be perfected, with the Clerk of the Court, a copy to Chambers, within one hundred twenty (120) days of the date of filing of the initial pleadings or twenty days (20) from the date of this Order, whichever is longer, or said Cause will be Dismissed, without prejudice, without further formal notice or hearing as to any Respondent not served.

THE SUMMONS shall be patterned after Florida Family Law form 12.910 (a), and shall specifically contain the following language:

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this _____.

CIRCUIT JUDGE

Case No:

Order of Dismissal

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:
SECTION:
JUDGE:

Petitioner(s)

vs.

Respondent(s)

_____ /

ORDER OF DISMISSAL

THIS CAUSE came to be heard on **Month, Day, Year** on the **Court's** motion, and it appearing that the:

Court lacks jurisdiction.

Parties have reconciled.

Cause is moot: Deceased party Parties are already divorced Other:
_____;

Pleadings fail to state a cause of action.

Respondent has not been served and 120 days has passed since the filing of this petition and petitioner has not shown good cause why service has not been perfected.

Petitioner Respondent Both parties failed to appear for the hearing scheduled on _____ after being duly noticed;

Petitioner Respondent Both parties failed to comply with a court order dated _____;

Case No:

Page 1 of 2

It is therefore **ORDERED AND ADJUDGED** that this cause is hereby **DISMISSED** [] with [] without prejudice.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this _____.

CIRCUIT JUDGE

Order to File

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO:
SECTION:
JUDGE:

Petitioner(s)
vs.
Respondent(s)

_____ /

ORDER TO FILE

THIS CAUSE having come for review before the undersigned Judge, and the Court after reviewing said cause, Orders the Petitioner/Respondent to file the following:

- Motion and Order for Default
- Proof of Publication
- Non-Military Affidavit
- Return of Service
- Affidavit of Diligent Search (pursuant to Fla. Stat. §49.041 and in substantial conformity with Fla. Fam. L. R. P. Form 12.913(b))
- Affidavit of Diligent Search (pursuant to Fla. Stat. §49.041 and in substantial conformity with Fla. Fam. L. R. P. Form 12.913(c))
- Corrected Notice of Publication
- Financial Affidavits
- Uniform Child Custody Jurisdiction & Enforcement Act Affidavit
- Parenting Class Certificate of Completion
www.myflfamilies.com/service-programs/child-welfare/stabilization/
- Child Support Guidelines Worksheet
- Notice of Related Cases
- FDLE Report/Background Check
- Copy of Florida Identification/Driver's License, FL Voter Registration Card, or Affidavit of Corroborating Witness
- Remote Uncontested Affidavit; see below (check your Judge's website for form: www.jud11.flcourts.org):
 - Special Affidavit for Remote Uncontested Dissolution of Marriage
www.jud11.flcourts.org/judges_forms/9002459223-AFFIDAVIT-%20Dissolution.pdf
 - Special Affidavit for Remote Final Judgment of Paternity
www.jud11.flcourts.org/judges_forms/9002459223-AFFIDAVIT-%20Paternity.pdf

Case No:

Page 1 of 2

- Special Affidavit for Uncontested Name Change Without a Hearing
www.jud11.flcourts.org/judges_forms/9002459223-AFFIDAVIT%20-%20Name%20Change.pdf
- Special Affidavit for Remote Uncontested Petition for Temporary Custody
www.jud11.flcourts.org/judges_forms/9002459223-AFFIDAVIT-%20Temporary%20Custody.pdf
- OTHER: _____

The above document(s) must be filed within FIFTEEN (15) days of the signing of this order, or on the date of your Final Hearing, whichever date is earlier. If said document(s) is/are not filed by the specified date, this Court will take other actions to progress this case which may include a dismissal.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this _____.

CIRCUIT JUDGE

Order to Progress

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:
SECTION:
JUDGE:

Petitioner(s)

vs.

Respondent(s)

_____ /

ORDER TO PROGRESS CASE

THIS CAUSE was reviewed by the Court for case management purposes. Review of the docket display and court file indicates that there appears to have been no action by any party to the cause nor have any pleading or orders of the Court been filed in said cause for a sufficient period to indicate that the parties are desirous of further prosecuting this cause. Upon consideration of the foregoing it is,

ORDERED AND ADJUDGED as follows:

Petitioner has the obligation of actively progressing the resolution of this cause. Petitioner must perform some affirmative action (e.g. notice the case for trial or other pleading) within thirty (30) days of the date of this Order. If petitioner fails to comply with this paragraph, this cause may be dismissed for lack of prosecution.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this_____.

CIRCUIT JUDGE

Order of Default

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:

SECTION:

JUDGE:

Petitioner(s)

vs.

Respondent(s)

_____ /

ORDER OF DEFAULT

IT APPEARING from the Court's review of this file that service was proper and no answer or motion having been filed, the Court sua sponte enters an Order of Default and sets this matter for final hearing on its uncontested calendar.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this _____.

CIRCUIT JUDGE

Case No:

Order to Schedule Final Hearing

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:
SECTION:
JUDGE:

Petitioner(s)

vs.

Respondent(s)

ORDER TO SCHEDULE FINAL HEARING

THIS CAUSE was reviewed by the Court for case management purposes. Review of the docket display and court file indicates that the case has been resolved and is ready for a final hearing. Upon consideration of the foregoing it is,

ORDERED AND ADJUDGED that the case shall be scheduled for a final uncontested hearing within 20 days. If Petitioner fails to comply with this Order, or file written notice requesting an extension of time to schedule, this cause shall be dismissed.

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this _____.

CIRCUIT JUDGE

Case No:

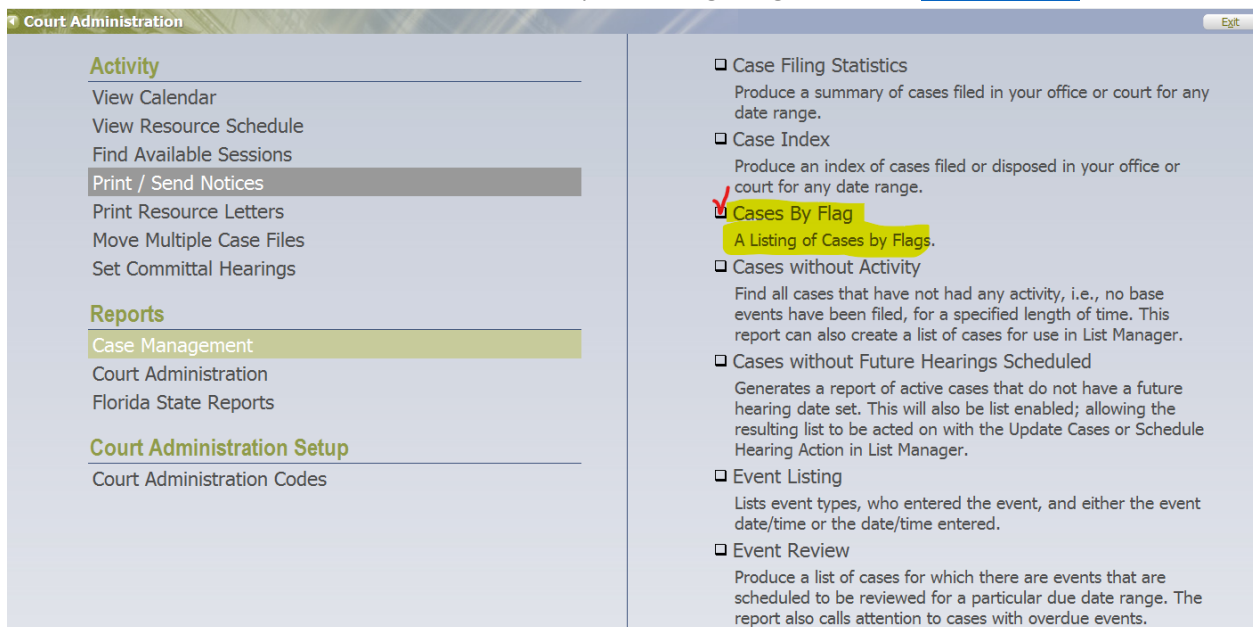
10. Appendix B – Report Logic for Case Lists

STREAMLINED Track Assignment

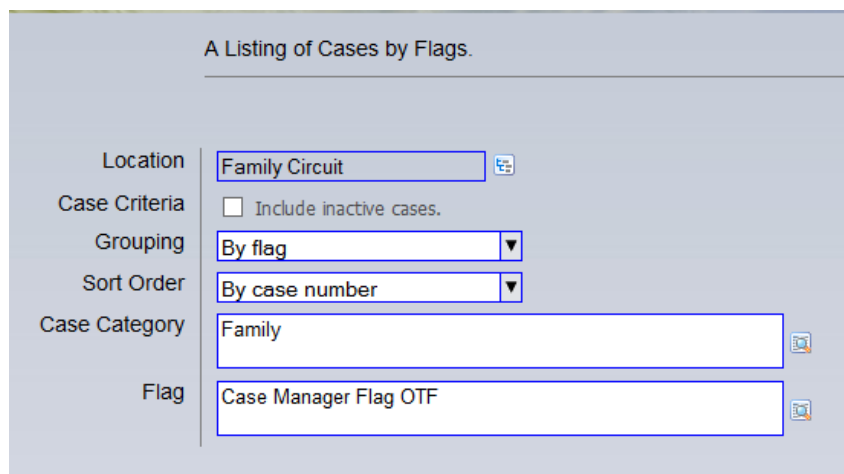
Case Type	Odyssey Case Type Code	STREAMLINED TRACK	Initial Assignment (Automated)	CASE TRIAGE PARAMETERS		Exclude from Initial Streamlined Track Assignment
				Case Events Required at Filing for Initial Streamlined Assignment	Case Event Codes	
Simplified Dissolution of Marriage	SIMPLIFIED	Event criteria must be met at case initiation	Odyssey/CM System	None		Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.
Dissolution of Marriage	DOM	Event criteria must be met at case initiation	Odyssey/CM System	One of the following case events is required: 1. Answer and Waiver 2. Special Affidavit to Proceed without Hearing	1. (ANWV) 2. (SFDM)	Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.
Dissolution of Marriage with Children	Diss of Marriage W/children	Event criteria must be met at case initiation	Odyssey/CM System	One of the following case events is required: 1. Agreement 2. Family Mediation Agreement 3. Family Mediation Unit Agreement 4. Mediated Settlement Agreement 5. Mediator's Report of Full Mediated Agreement 6. Order on Mediator's Report of Full Agreement 7. Settlement Agreement	1. (AGRE) 2. (FAMA) 3. (FMAG) 4. (MESA) 5. (MRFA) 6. (OMRF) 7. (SETA)	Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.
Paternity	PATERNITY	Event criteria must be met at case initiation	Odyssey/CM System	The following case event is required: 1. Paternity Settlement Agreement	1. (PTSA)	Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.
Name Change	NAMECHANGE	Event criteria must be met at case initiation	Odyssey/CM System	One of the following case events is required: 1. FDLE Report 2. Birth Certificate	1. (FDLE)	Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.
Other Petition: Temporary Custody	OTHERPET	Event criteria must be met at case initiation	Odyssey/CM System	One of the following case events is required: 1. Consent (Parents) or 2. Death Certificates (Parents)	1. (CWPT) Consent and Waiver by Parent 2. (CONM) Consent of Natural Mother	Do not assign to Streamlined if there is an open related Domestic Violence case detected by Odyssey/system.

11. Appendix C – Case Monitoring Reports (tickler)

- A. Create Case Manager Flag Reports in Odyssey to generate a report to monitor case progression (a “tickler”).
 1. In cases where an **Order to File is required, monitor compliance by creating a [Flag OTF Report](#) “tickler” in Odyssey.**
 - a. Go to Odyssey Court Administration Case Management Reports.
 - i. Select Cases by Case Manager Flag to create the [Flag OTF Report](#).

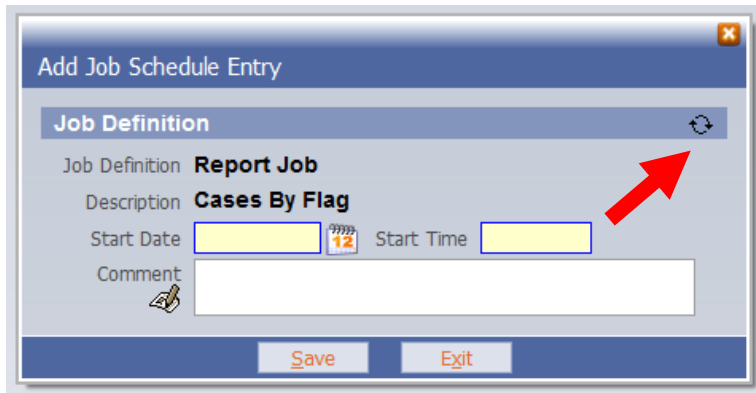


- b. Make selections in the “A Listing of Case by Flags” to generate the **Case Manager Flag OTF** “tickler”
 - i. Select how case are to be grouped and sorted under “A Listing of Cases by Flags” section.

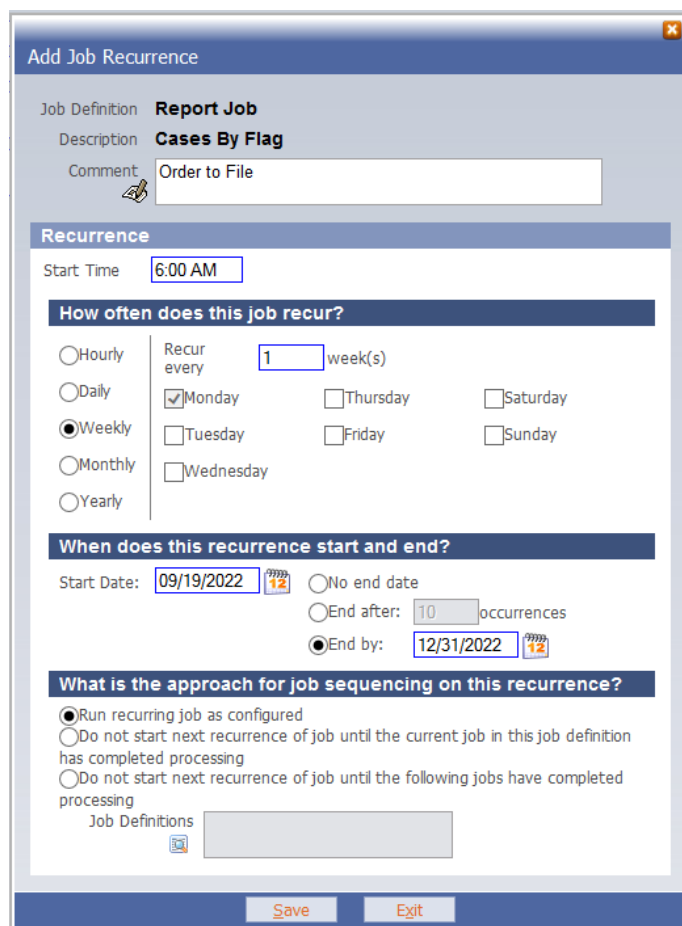


- c. To schedule the Flag OTF Report to run regularly:
 - i. Click on “Schedule” the top of the page.

- ii. Click on the circular arrows in the “Add Job Schedule Entry” window to get to the “Add Job Recurrence” window to generate the report on a recurring basis.



- d. In the “Add Job Recurrence” window, select the dates and time of the day that the **Flag OTF Report** will generate.



- e. In the “Add Job Recurrence” window, select the dates and time of the day that the **Flag OTF Report** will generate.
- f. Review [Odyssey Flag OTF Report](#) generated report for progression to UCD, other progression/resolution or track reassignment.

Note: Docket code for Order to File is ORTF

2. In cases where an **Order to Progress Case** is required, monitor compliance by creating a **Flag OTP Report** “tickler” in Odyssey.
3. In cases where an **Order Directing Service of Process** is required, monitor compliance by creating a **Flag OTPS Report** “tickler” in Odyssey.

12. Appendix D - Figure 1. Odyssey Flag OTF Report

Location: **Family Circuit** Grouping: **By flag** Sort Order: **By case number**

Case Manager Flag OTF

Case	Style	Location
2016-017109-FC-04	Salup, Nicole vs Salup, Jorge	Family Circuit
2016-018368-FC-04	Artigas, Patricia M vs Gonzalez, Miguel A	Family Circuit
2016-018953-FC-04	Coley, Tavarius D vs Singleton, Aspen	Family Circuit
2016-019136-FC-04	Rolon, Veronica A vs Rolon Rivera, Pedro E	Family Circuit
2016-019659-FC-04	Calles, Caridad Pilar vs Gonzalez, Alfredo Francisco	Family Circuit
2016-020113-FC-04	Richard, Reginald vs Richard, Claudia	Family Circuit
2016-020147-FC-04	Martin, Pamela vs Martin, Joshua	Family Circuit
2016-020776-FC-04	Sanchez, Rocdanie vs Boza, Yadira	Family Circuit
2016-020903-FC-04	Rivas, Marta vs Guzman(Desease), Myra	Family Circuit
2018-001823-FC-04	Torres, Viviana vs Torres, Alfredo, Jr.	Family Circuit
2018-006178-FC-04	Holmes, Tyrone vs Holmes, Jennifer	Family Circuit

13. Docket Checklist for Final Judgement Readiness by Case Type

- All cases should have a Notice of Related Cases

1. Dissolution of Marriage

a. Special Affidavit Without a Hearing

- i. Prepared by Self Help
- ii. Given to Chambers directly for Judge to review, sign, and enter

b. Simplified DOM

- i. Petitioner and Respondent signed Petition
- ii. Petition fully completed
- iii. No children

c. DOM - No Children No Assets No Debts

- i. Petition
- ii. Service and/or Responsive Pleading (usually Answer Waiver)

d. No Children + Assets and Debts With MSA

- i. Petition
- ii. Service/Responsive Pleading
- iii. Financial Affidavits
- iv. MSA signed by both parties

e. DOM – With Children With MSA

- i. Petition
- ii. Service/Responsive Pleading
- iii. UCCJEA
 1. Check if the children are subject to an existing child support order
- iv. Financial Affidavits
- v. Parenting Class Certificates
- vi. Child Support Guidelines Worksheet
- vii. Parenting Plan signed by both parties
- viii. MSA signed by both parties

f. DOM – No Children + Assets and Debts No MSA (occurs when default entered against Respondent)

- i. Petition
- ii. Service
- iii. Financial Affidavit

- g. DOM - With Children No MSA (occurs when default entered against Respondent)**
 - i. Petition
 - ii. Service
 - iii. UCCJEA
 - iv. Financial Affidavit
 - v. Parenting Class Certificate

- h. DOM – With Children Not Common to Parties + No Assets No Debts**
 - i. Petition
 - ii. Service/Responsive Pleading
 - iii. Birth Certificate of Minor Child(ren) (if born)
 - iv. Acknowledgement of Paternity by Biological Father (even if baby is not born yet)

- i. DOM – With Children Not Common to Parties + Assets and Debts**
 - i. Petition
 - ii. Service/Responsive Pleading
 - iii. Financial Affidavits
 - iv. MSA
 - v. Acknowledgement of Paternity by Biological Father (even if baby is not born yet)

- j. DOM – With Children Not Common and Common to Parties**
 - i. Petition
 - ii. Service/Responsive Pleading
 - iii. Financial Affidavits
 - iv. UCCJEA
 - v. CSGW
 - vi. Parenting Class Cert.
 - vii. MSA
 - viii. PP
 - ix. Acknowledgement of Paternity by Biological Father (even if baby is not born yet)
 - x. Birth Certificate of Minor Child(ren) (if born)

2. Paternity

- a. Establishing Paternity**
 - i. Petition
 - ii. Service/Responsive Pleading
 - iii. UCCJEA
 - iv. Financial Affidavits
 - v. CSGW
 - vi. Parenting Class Cert.

- vii. PSA

3. Name Change

a. Of Adult

- i. Petition
- ii. FDLE Report (State + Nat'l Check)

b. Of Minors with Both Parents as Petitioners

- i. Petition signed by both parents
- ii. FDLE Report of Both Parents (State + Nat'l Check)

c. Of Minors with Only One Parent as Petitioner + Consent of Other Parent

- i. Petition
- ii. Consent of Parent not in petition
- iii. FDLE Report of Petitioner Parent (State + Nat'l)

d. Of Minor with Only One Parent as Petitioner + No Consent of Other Parent

- i. Petition
- ii. Service on Non-Petitioner Parent
- iii. Default or Uncontested Responsive Pleading by Other Parent
- iv. FDLE Report of Petitioner Parent (State + Nat'l)

e. Restoration

- i. Petitioner
- ii. Birth Certificate and/or Marriage License

4. Temporary Custody ("Other Petition")

a. With Consent by Both Parents

- i. Petition
- ii. Service/Responsive Pleading/Consents
- iii. Birth Certificate of Minors

b. With Consent by Only One Parent

- i. Petition
- ii. Service
- iii. Default/Uncontested Responsive Pleading by Other Parent
- iv. Birth Certificate of Minor Children
- v. Consent of Parent

- c. With No Consent**
 - i. Petition
 - ii. Service on Both Parents
 - iii. Default/Uncontested Responsive Pleadings by Both Parents
 - iv. Birth Certs of Minor Children

- d. With Consent by One Parent + Other Parent Deceased**
 - i. Petition
 - ii. Consent by Living Parent
 - iii. Death Cert of Deceased Parent
 - iv. Birth Cert of Minor Children

- e. No Consent + Both Parents Deceased**
 - i. Petition
 - ii. Death Cert of Parents
 - iii. Birth Cert of Minor Children

- 5. Petition for Parental Responsibility + Timesharing (“Other Petition”) (paternity has been established in another case)**
 - a. Petition
 - b. Service/Responsive Pleading
 - c. UCCJEA
 - d. Financial Affidavits
 - e. Parenting Class Cert.
 - f. PSA

Relevant Statutes/Rules

- 1. Service of Process
 - a. Personal/Substitute: Fla. Stat. Chapter 48
 - b. Constructive Service: Fla. Stat. Chapter 49
- 2. Dissolution of Marriage: Fla. Stat. Chapter 61
- 3. Name Change: Fla. Stat. Chapter 68.07
- 4. Paternity: Fla. Stat. Chapter 742
- 5. Simplified DOM: Fam Law Rule 12.285
- 6. Temporary Custody: Fla. Stat. Chapter 751

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