

INSTRUCTIONS FOR FILING A MODIFICATION OF RELOCATION PROVISION IF YOUR PARENTING PLAN ORDER DOES NOT EXPRESSLY GOVERN RELOCATION OF THE CHILD(REN)

A modification is used to change an *EXISTING* court order. It is filed in the case containing the order you wish to change, and that case number should be reflected on all of the documents filed. This packet is used when you plan to relocate the child(ren)'s residence more than 50 miles from the child(ren)'s residence at the time of the last parenting plan order. A reopen filing fee of \$50.00 is payable to the Brevard County Clerk of Courts by cash, check, cashier's check, money order, debit card, American Express, Discover, Master Card or Visa.

Procedure

1. Complete the Supplemental Petition to Permit Relocation With Minor Child(ren) [Florida Supreme Court form 12.950(d)], the Uniform Child Custody Jurisdiction and Enforcement Act Affidavit [Florida Supreme Court form 12.902(d)], Affidavit Regarding Juvenile Dependency [Law 1100] a Financial Affidavit [Florida Supreme Court form 12.902(b) **or** 12.902(c); the Summons [Florida Supreme Court form 12.910(a); the Process Server Memorandum [Florida Supreme Court form 12.910(b) and the Certificate of Compliance with Mandatory Disclosure [Florida Supreme Court form 12.932]. *Do not leave anything blank.* If a line does not apply put N/A.
2. Once the forms are completed, signed and notarized, make two (2) copies of each form.
3. Retain one (1) set of copies of each for your records.
4. File ALL originals and one set of copies with the Clerk of Court, along with your filing fee, and a money order for the Sheriff to serve the other party with papers. (If the other party lives outside of Brevard County, you will also need to bring an envelope stamped and addressed to the agency that will serve the papers, a money order made out to the serving agency, and an envelope stamped and addressed to the Clerk of Court, P.O. Box 219, Titusville, FL 32781-0219.) You may submit the paperwork either by U.S. mail to P.O. Box 219, Titusville, FL 32781-0219 or by visiting one of the Clerk of Courts locations.

NORTH BREVARD SERVICE COMPLEX

400 South Street, 2nd Floor
Titusville, Florida

MELBOURNE COURTHOUSE

51 S. Nieman Avenue
Melbourne, Florida

MOORE JUSTICE CENTER

Viera Complex
2825 Judge Fran Jamieson Way
Viera, Florida

MERRITT ISLAND OFFICE

2575 North Courtenay Parkway
Room 129
Merritt Island, FL

PALM BAY OFFICE

450 Cogan Drive S. E.
Palm Bay, FL

5. Once the other party is served with the set of copies, they have twenty (20) calendar days to file a written response.
6. See Law 1008 paragraphs 5, 6, and 7 for your next step.

Procedure if the other party DOES agree to the relocation modification:

This procedure is used ONLY when both parties are in agreement and both parties have signed and notarized all necessary forms.

1. To modify parental responsibility, complete the Supplemental Petition to Permit Relocation with Minor Children [Florida Supreme Court form 12.950(d)]; Relocation/Long Distance Parenting Plan, [Florida Supreme Court form 12.995(c)]; the Agreement for Relocation with Minor Child(ren) [Florida Supreme Court form 12.950(a)]; the Motion for Order Permitting Relocation by Agreement [Florida Supreme Court form 12.950(b)]; the Uniform Child Custody Jurisdiction and Enforcement Act Affidavit, [Florida Supreme Court form 12.902(d)]; a Financial Affidavit, [Florida Supreme Court form 12.902(b) or 12.902(c)]; the Child Support Guidelines Worksheet, [Florida Supreme Court form 12.902(e)]. *Do not leave anything blank. If a line does not apply put N/A. **You do not need to complete*** the Summons, [Florida Supreme Court form 12.910(a)], the Process Service Memorandum, [Florida Supreme Court form 12.910(b)], or the Non Military Affidavit, [Florida Supreme Court form 12.912(b)].
2. Obtain an Answer and Waiver, [form Law 1002], from the Clerk of Court and have the other party complete this form along with a Financial Affidavit, [Florida Supreme Court form 12.902(b) or 12.902(c)]. The other party will also need to sign the Relocation/Long Distance Parenting Plan, [Florida Supreme Court form 12.995(c)], the Agreement for Relocation with Minor Child(ren) [Florida Supreme Court form 12.950(a)], and the Motion for Order Permitting Relocation by Agreement [Florida Supreme Court form 12.950(b)].
3. Make two (2) copies of all completed, notarized documents.
4. Retain one (1) set of copies for your records and provide the other party with one (1) set of the copies.
5. File ALL originals with the Clerk of Court. The assigned judge's name will be reflected on your filing fee receipt, or you may contact the Clerk of Court to find out the assigned judge.
6. Wait for one (1) week and then contact the Family Pro Se Coordinator at 321-617-7254 for the procedure to request the judge sign the order without a hearing.

If you would like to have someone notarize or look over the completed forms before you file them, contact the Family Pro Se Coordinator at 321-617-7254 or email prosecoordinator@brevardclerk.us to set an appointment.