

**INSTRUCTIONS FOR FILING FOR A MODIFICATION OF TIMESHARING**

A modification is used to change an *EXISTING* order. It is filed in a case containing a timesharing order you wish to change. That case number should be reflected on all of the documents filed. 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 if the other party DOES NOT agree to the modification of timesharing:**

1. Complete and notarize the forms in the packet. *Do not leave anything blank.* If a line does not apply put N/A. All of the other forms need to be completed.
2. Once the forms are completed and notarized, make 2 copies of each form.
3. Retain one set of copies for your records.
4. Complete only the basics on the Supplemental Final Judgment Modifying Parental Responsibility/Timesharing, [Florida Supreme Court form 12.993(a)], and stamp and address two envelopes, one to you and one to the other party. Attach the envelopes to the Final Judgment.
5. File ALL originals, one set of copies and the Final Judgment with attached envelopes with the Clerk of Court, along with your filing fee and a money order for the sheriff to serve the other party with the papers. (If the other party lives outside of Brevard County, you will also need to bring a stamped addressed envelope to the agency that will serve the papers, a money order made out to the serving agency, and an envelope stamped and addressed to 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, 2<sup>nd</sup> 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

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

**Procedure if the other party DOES agree to the modification of timesharing: This procedure is used ONLY when both parties are in agreement and both parties have signed and notarized all required papers.**

1. Complete the Supplemental Petition to Modify Timesharing, [Florida Supreme Court form 12.905(a)]; the Uniform Child Custody Jurisdiction and Enforcement Act Affidavit, [Florida Supreme Court form 12.902(d)]; and the Proposed Parenting Plan, [Florida Supreme Court form 12.9959a)]. *Do not leave anything blank.* If a line does not apply to you, 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 and notarize the form. You may obtain form Law 1002 from the Clerk's Website at [www.brevardclerk.us/pages/famform.htm](http://www.brevardclerk.us/pages/famform.htm).
3. Draft an agreement stating exactly what the two of you are agreeing to. This agreement must be signed by each of you and each signature notarized.
4. Make 2 copies of all completed, notarized documents including the signed, notarized agreement.
5. Retain one set of copies for your records, provide the other party one set of copies.
6. 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.
7. Complete the Supplemental Final Judgment Modifying Parental Responsibility/Timesharing, [Florida Supreme Court form 12.993(a)].
8. 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](mailto:prosecoordinator@brevardclerk.us) to set an appointment.*