

INSTRUCTIONS FOR FILING A TEMPORARY MODIFICATION OF PARENTING ISSUES WHEN CUSTODIAL PARENT IS ACTIVATED, DEPLOYED OR TEMPORARILY OR ASSIGNED TO THE MILITARY

{This packet is to be used ONLY for temporary parenting issues from PARENT TO PARENT of the minor child(ren)}

This modification is used to temporarily change an EXISTING court order for parental responsibility. It is filed in the case concerning the order you wish to change, and 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:

1. Complete and notarize the forms in the packet. Do not leave anything blank. If a line does not apply put N/A. You will need *only* one Financial Affidavit, [Florida Supreme Court Form 12.910(b) **or** 12.910(c)]. 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. 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 the 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 Court 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 20 calendar days to file a written response.
6. See Law 1008 paragraphs 5, 6, 7 for your next step.

Procedure if the other party DOES agree to the modifications: This procedure is used ONLY when both parties are in agreement and both parties have signed and notarized all necessary forms.

1. To modify child Parental Responsibility, complete the Supplemental Petition for Temporary Modification/Amendment of Parental Responsibility for Child(ren) of Custodial Parent Activated, Deployed, or Temporarily Assigned to Military Service, [Florida Supreme Court Form 12.905(d)]; the Uniform Child Custody Jurisdiction and Enforcement Act Affidavit, [Florida Supreme Court Form 12.902(d)]; and an Affidavit Regarding Juvenile Dependency (Law 1100). 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, [Law Form 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)].
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 as well as the signed, notarized agreement.
5. Retain one set of copies for your records and 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 Temporary Judgment [Florida Supreme Court Form 12.993(d)].
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@brevarclerk.us to set an appointment.