

INSTRUCTIONS FOR FILING FOR A MOTION FOR TEMPORARY RELIEF

This motion can be used **ONLY** when a petition *OR* supplemental petition has been filed. **Do not** use this form in a dissolution of marriage case. This motion **CANNOT** be used alone. If the motion is filed in the case that has been reopened for modification, that case number should be reflected on all of the documents filed. If this is in a new case other than a dissolution of marriage, that case number should be reflected on all of the documents filed.

Procedure:

1. Complete the Motion for Temporary Relief, [form Law 1026].
2. You will need the Affidavit Regarding Juvenile Dependency, [form Law 1100], **only** if your temporary relief is related to parental responsibility, timesharing or relocation. If you do not need this form, discard it.
3. Once the form(s) is/are completed and notarized, when required, make 2 copies of each form.
4. File **ALL** the original(s) with the Clerk of Court. 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 Motion has been filed, contact the office of the judge assigned to your case and set your hearing for temporary relief. **Some judges will require you to attend mediation for temporary relief before a temporary hearing can be set.** If this is the case, the mediation will be set by the judge's office and you will be notified in writing of the date and time of the mediation. Send the other party one copy of the Motion for Temporary Relief. **Some judges will not set any hearings until the other party has been served with papers.** If this is the case, you will have to wait until the other party has been served to set your hearing. **Some judges refer temporary relief to the General Magistrate.** If this is the case, contact the Family Pro Se Coordinator at 321-617-7254 for information for these hearings.
6. When the judge's office sets a hearing, complete the Notice of Hearing, [Florida Supreme Court form 12.923].
7. Make 2 copies of the completed hearing notice.
8. File the original Completed Notice of Hearing with the Clerk of Court.
9. Retain one copy of the completed hearing notice, the motion, and any other forms you need to complete for your records.
10. Send one copy of the completed motion and one copy of the completed hearing notice to the other party.
11. Attend the hearing and take detailed notes in case the judge instructs you to draft an order reflecting his ruling.

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.

