

**INSTRUCTIONS FOR FILING A PETITION FOR TEMPORARY RELATIVE PARENTAL
RESPONSIBILITY – DO NOT AGREE**

These forms should be used when a relative/extended family member or putative father is seeking temporary parental responsibility of a related child pursuant to Chapter 751, Florida Statutes. In order to file for temporary parental responsibility, the child should be residing with the relative or the relative should have signed, notarized consents of the child(ren)'s legal parents. For the purpose of this proceeding, extended family means any family composed of the minor child *and* a relative of the child who is the child's brother, sister, grandparent, aunt, uncle, cousin or putative father. A putative father may bring a proceeding for temporary parental responsibility only when he is unable to perfect personal service of process upon the mother of the child. A putative father is a man who reasonably believes himself to be the biological father of the minor child, but who is unable to prove his paternity due to the absence of the mother of the child. ***A relative parental responsibility proceeding is always temporary. It is not a substitute for a dependency proceeding.*** A filing fee of \$401.00 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 when the parents DO NOT agree to the temporary relative parental responsibility:

1. Complete the Petition for Temporary Parental Responsibility of Minor Child(ren) by Extended Family Member, [form Law 1037], Affidavit Regarding Juvenile Dependency [form Law 1100], and the Notice of Related Cases [form Law 1032]; Summons: Personal Service on Individual, [Florida Supreme Court form 12,910(a)]; Process Service Memorandum, [Florida Supreme Court form 12.910(b)]; Non-Military Affidavit, [Florida Supreme Court form 12.912(b)], and Civil Cover Sheet, [form Law 181]. Notarize signatures where required. *Do not leave anything blank. If something does not apply, write NA.*
2. Make 2 copies of each completed, notarized document (you do not need to copy Law 181).
3. Retain one set of copies for your records.
4. Complete only the basics on the Report of General Magistrate Upon Petition for Temporary Parental Responsibility of Minor Child(ren) by Extended Family Member, [form Law 1039], and only the basics on the Order Upon Petition for Temporary Parental Responsibility of Minor Child(ren) by Extended Family Member, [form Law 1040].
5. 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 a stamped addressed envelope to the agency that will serve the papers 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, 2nd Floor
Titusville, Florida

MOORE JUSTICE CENTER

Viera Complex

2825 Judge Fran Jamieson Way
Viera, Florida

MELBOURNE COURTHOUSE

51 S. Nieman Avenue
Melbourne, 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 parent(s) is/are served with the set of copies, they have 20 calendar days to file a written response.
7. See form LAW 1008 paragraphs 4, 5, 6 for your next step.

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.