

# PACKET 7

Forms Associated with a

## Motion to Enforce

For example, to enforce a Final Judgment of Divorce, a Child Support Order, a  
Paternity Order, etc.



EIGHTH JUDICIAL CIRCUIT

Revised November 19, 2013 \*\*\*FEES MAY APPLY\*\*\*  
For Forms Revised 11-2013

23 pages

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## WARNING

IF THERE IS ANY QUESTION in your mind concerning these forms, the use of these forms, or your legal rights, it is strongly recommended that you obtain the services of an attorney. If you do not know an attorney, you may contact the Florida Lawyer Referral Service at 1-800-342-8011. If you are filing for divorce in a case involving domestic violence and are financially unable to afford the services of an attorney, you may contact Three Rivers Legal Services at (352) 372-0519 or 1-800-372-0936 to see if you are eligible for their services.

DUE TO THE CHANGING NATURE OF THE LAW, the forms and information contained in this packet may become outdated. Therefore, you should review and research statutes and rules of procedure referenced in the instructions to ensure that the forms are accurate and current.

IN NO EVENT will the Florida Supreme Court, the Florida Bar, the Eighth Judicial Circuit Office of the Court Administrator, the Clerk of the Court or anyone contributing to the production of these forms, commentary, instructions, and appendices be liable for any indirect or consequential damages resulting from the use of the packet.

Use these forms at your own risk. These forms may or may not be appropriate in your particular case. Any desired outcome from the use of these forms cannot be predicted or guaranteed. **It is strongly recommended that you seek legal advice.**

When the forms refer to: "General Information for Self-Represented Litigants)," the information is found at <http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab).



## EIGHTH JUDICIAL CIRCUIT

### Resources for Litigants Filing a Family Law Action Without Legal Counsel

**Internet Access-** information on how to file family law cases without an attorney in the State of Florida can be found at:

<http://www.circuit8.org/prose/index.html> or <http://www.flcourts.org>  
(select Family Forms located under the heading Self Help in the General Public Tab)

Internet access is available from the Levy County Public Library.

Three Rivers is available to assist pro se litigants in dissolution of marriage and paternity actions who qualify. Three Rivers can be reached at (352) 372-0519.

Legal information for litigants is available at the Alachua County Library Headquarters in Downtown Gainesville, which houses the J. H. Murphree Law Library Collection. Consult with a librarian for additional information. The web address for the library is <http://www.aclib.us/>.

# **FAMILY COURT**

## **CASE MANAGEMENT PROGRAM**

### **EIGHTH JUDICIAL CIRCUIT**



#### **SERVING LEVY COUNTY**

#### **A PROGRAM OF THE ADMINISTRATIVE OFFICE OF THE COURT**

The Family Court Case Management Program staff is employed by the Court to assist the Family Law Judges by making sure that all cases in which the petitioner is not represented by an attorney have met procedural requirements.

As in all matters involving law, it is recommended that you obtain the services of a competent lawyer. It is important for you to understand that the Court and Program staff do not represent you. **YOU** represent yourself.

If you decide to proceed without a lawyer, the Family Court Case Management Program staff **will:**

- h explain procedures
- h conduct an instructional seminar to explain how to file forms
- h inform you about additional court requirements
- h help you set a hearing with the judge

The staff **will not:**

- h give legal advice or explain rights
- h represent you in court
- h tell you what forms to file
- h tell you how to present your case
- h notify you that your case is ready to file

## PROCEDURES

1. If you have decided to file a family law case without a lawyer, please follow these steps:
2. Download the forms from the Clerk's website
3. Complete the packet of forms - in ink or typed. Court staff cannot assist you in completing the forms.
4. Further instructions regarding filing and procedures are addressed in the packet. Procedural questions can be answered by calling Family Court.
5. Instructions regarding procedures after filing are addressed in the packet. Your case will be monitored for procedural requirements by the Family Court Case Manager.

## OTHER SERVICES

In addition to the instructional seminar, the Family Court Case Management Program offers assistance to self-represented litigants in a variety of ways.

**Internet Access-** information on how to file family law cases without an attorney in the State of Florida can be found at:

**Eighth Judicial Circuit Website:**

<http://circuit8.org/self-help> or

**Florida Supreme Court Website:**

<http://www.flcourts.org> (select Family Forms located under the heading Self Help in the General Public Tab)

Internet access is available from the Levy County Public Library.





**EIGHTH JUDICIAL CIRCUIT  
FAMILY COURT CASE MANAGEMENT PROGRAM**

**NOTICE OF LIMITATION OF SERVICES PROVIDED/DISCLAIMER**

The personnel in the office of the Clerk of the Court are not acting as your lawyer or providing legal advice to you.

Clerk of Court personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of a form or substitution of a different form. The judge is not required to grant the relief requested in a form.

The personnel in the office of the Clerk of the Court cannot tell you what your legal rights or remedies are, represent you in court, give legal advice or instructions on completing forms or tell you how to testify in court.

In all cases, it is best to consult with your own attorney, especially if your case presents significant issues regarding children, child support, alimony, retirement or pension benefits, assets, or liabilities.

\_\_\_\_\_ I can read English. - (Go to signature line)

\_\_\_\_\_ I cannot read English, but this notice was read to me by

\_\_\_\_\_ in \_\_\_\_\_.  
(Name) (Language)

\_\_\_\_\_  
YOUR SIGNATURE

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR LEVY COUNTY, FLORIDA

CASE NO: \_\_\_\_\_

DIVISION: \_\_\_\_\_

\_\_\_\_\_,  
Plaintiff/ Petitioner/State

v.

\_\_\_\_\_,  
Defendant/ Respondent

**PERMISSION TO USE E-MAIL**

**Provide your email address below to receive a copy of your Orders, Judgments Notice of Hearings or other written communications from the court or clerk of court and by electronic mail.\***

By completing this form I am authorizing the Court and the Clerk, of Circuit Court to send copies of orders/judgments, notices or other written communications to me by e-mail.

I will ensure the software filters have been removed from my computer, so it does not interfere with my ability to receive any of the above documents.

I will file a written notice with the Clerk, if my current email address changes.

\_\_\_\_\_  
Plaintiff/ Petitioner Name (print)

\_\_\_\_\_  
Plaintiff/ Petitioner Name (signature)

\_\_\_\_\_  
\* email address (print *clearly*)

\_\_\_\_\_  
Date

**\*You will not need to provide a stamped self-envelope, if you provide your email address.**



Cover Sheet for Family Court Cases

I. Case Style

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR LEVY COUNTY, FLORIDA

_____ Petitioner	and	
_____ Respondent		Case No.: _____

II. Type of Action/Proceeding. Place a check beside the proceeding you are initiating. If you are simultaneously filing more than one type of proceeding against the same opposing party, such as a modification and an enforcement proceeding, complete a separate cover sheet for each action being filed. **If you are reopening a case, choose one of the three options below it.**

- (A) ☐ Initial Action/Petition  
 (B) ☒ Reopening Case  
     1. ☐ Modification/Supplemental Petition  
     2. ☒ Motion for Civil Contempt/Enforcement  
     3. ☐ Other

III. Type of Case. If the case fits more than one type of case, select the most definitive.

- |  |  |
|--|--|
| (A) <input type="checkbox"/> Simplified Dissolution of Marriage<br>(B) <input type="checkbox"/> Dissolution of Marriage<br>(C) <input type="checkbox"/> Domestic Violence<br>(D) <input type="checkbox"/> Dating Violence<br>(E) <input type="checkbox"/> Repeat Violence<br>(F) <input type="checkbox"/> Sexual Violence<br>(G) <input type="checkbox"/> Stalking<br>(H) <input type="checkbox"/> Support IV-D (Department of Revenue, Child Support Enforcement)<br>(I) <input type="checkbox"/> Support Non-IV-D ( <b>not</b> Department of Revenue, Child Support Enforcement)<br>(J) <input type="checkbox"/> UIFSA IV-D (Department of Revenue, Child Support Enforcement) | (K) <input type="checkbox"/> UIFSA Non-IV-D ( <b>not</b> Department of Revenue, Child Support Enforcement)<br>(L) <input type="checkbox"/> Other Family Court<br>(M) <input type="checkbox"/> Adoption Arising Out of Chapter 63<br>(N) <input type="checkbox"/> Name Change<br>(O) <input type="checkbox"/> Paternity/Disestablishment of Paternity<br>(P) <input type="checkbox"/> Juvenile Delinquency<br>(Q) <input type="checkbox"/> Petition for Dependency<br>(R) <input type="checkbox"/> Shelter Petition<br>(S) <input type="checkbox"/> Termination of Parental Rights Arising Out of Chapter 39<br>(T) <input type="checkbox"/> Adoption Arising Out of Chapter 39<br>(U) <input type="checkbox"/> CINS/FINS |
|--|--|

IV. Rule of Judicial Administration 2.545(d) requires that a Notice of Related Cases Form, Family Law Form 12.900(h), be filed with the initial pleading/petition by the filing attorney or self-represented litigant in order to notify the court of related cases. Is Form 12.900(h) being filed with this Cover Sheet for Family Court Cases and initial pleading/petition?

- ☐ No, to the best of my knowledge, no related cases exist.  
☐ Yes, all related cases are listed on Family Law Form 12.900(h).

**ATTORNEY OR PARTY SIGNATURE**

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief.

Signature \_\_\_\_\_ FL Bar No.: \_\_\_\_\_  
 Attorney or party (Bar number, if attorney)

\_\_\_\_\_  
 (Type or print name) Date

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in **all** blanks]

This form was prepared for the: {choose only **one**} ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_

{name of business} \_\_\_\_\_

{address} \_\_\_\_\_

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {telephone number} \_\_\_\_\_

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM  
12.960, MOTION FOR CIVIL CONTEMPT/ENFORCEMENT (12/10)**

**When should this form be used?**

You may use this form to ask the court to enforce a prior court order or final judgment.

**What should I do next?**

To initiate a civil contempt/enforcement proceeding against a party who is not complying with a prior court order, you must file a motion with the court explaining what the party has failed to do. This form should be typed or printed in black ink. After completing this form, you should sign it before a notary public or deputy clerk. You should then file the original with the clerk of the circuit court in the county where your case was filed and keep a copy for your records. Fees maybe due at time of filing.

A copy of this form must be personally served by a sheriff or private process server or mailed\* or hand delivered to any other party(ies) in your case. \*Please note that if notice is mailed, the court in certain circumstances may not consider mailing to be adequate notice. If you want to be sure, you should have the motion personally served. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a).

The court will then set a hearing. You should check with the clerk of court, judicial assistant, or family law intake staff for information on the local procedure for scheduling a hearing. Once you know the time and date of the hearing, you will need to complete **Notice of Hearing on Motion for Contempt/Enforcement**, Florida Supreme Court Approved Family Law Form 12.961, or, if applicable, **Notice of Hearing (Child Support Enforcement Hearing Officer)**, Florida Supreme Court Approved Family Law Form 12.921, or **[Notice of Hearing Before] General Magistrate**, Florida Family Law Rules of Procedure Form 12.920[(c)], which will specify a time and place for a hearing on the issue. A copy of this form must be mailed or hand delivered to the other party. Again, if notice is mailed, the court in certain circumstances may not consider mailing to be adequate notice. If you want to be sure, you should have the notice personally served. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a).

At the hearing, as in any other civil proceeding, you, as the moving party, will have the burden of proving the other party has not obeyed a prior court order. Once noncompliance is established, the other party will have an opportunity to show an inability to comply with the prior court order. If he or she is unable to do so, the judge may find the other party to be in contempt. If so, the judge may order appropriate sanctions to compel compliance by the other party, including jail, payment of attorneys' fees, suit money, or costs, and coercive or compensatory fines, and may order any other relief permitted by law.

**Where can I look for more information?**

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** See also section 61.14, Florida Statutes and rule 12.615, Florida Family Law Rules of Procedure.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,  
IN AND FOR LEVY COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

**MOTION FOR CIVIL CONTEMPT/ENFORCEMENT**

( ) Petitioner ( ) Respondent requests that the Court enter an order of civil contempt/enforcement against ( ) Petitioner ( ) Respondent in this case because:

1. A final judgment or order *{title of final judgment or order}* \_\_\_\_\_  
in this case was entered on *{date}* \_\_\_\_\_, by *{court, city, and state}* \_\_\_\_\_.

\_\_\_\_\_ Please indicate here if the judgment or order is not from this Court and attach a copy.

2. This order of the Court required the other party in this case to do or not do the following:  
*{Explain what the other party was ordered to do or not do.}* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Please indicate here if additional pages are attached.

3. The other party in this case has willfully failed to comply with this order of the Court: *{Explain what the other party has or has not done.}* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Please indicate here if additional pages are attached.

4. I respectfully request that the Court issue an order holding the above-named person in civil contempt, if appropriate, and/or providing the following relief:

- a. \_\_\_ enforcing or compelling compliance with the prior order or judgment;
- b. \_\_\_ awarding a monetary judgment;
- c. \_\_\_ if a monetary judgment was included in the prior order, issuing a writ of execution

- or garnishment or other appropriate process;
- d. \_\_\_ awarding prejudgment interest;
  - e. \_\_\_ requiring the other party to pay costs and fees in connection with this motion;
  - f. \_\_\_ if the other party is found to be in civil contempt, ordering a compensatory fine;
  - g. \_\_\_ if the other party is found to be in civil contempt, ordering a coercive fine;
  - h. \_\_\_ if the other party is found to be in civil contempt, ordering incarceration of the other party with a purge;
  - i. \_\_\_ issuing a writ of possession for real property, writ for possession of personal property, or other appropriate writ;
  - j. \_\_\_ issuing a writ of bodily attachment if the other party fails to appear at the hearing set on this motion;
  - k. \_\_\_ requiring the other party to make payments through the central governmental depository;
  - l. \_\_\_ requiring the support payments to be automatically deducted from the other party's income or funds;
  - m. \_\_\_ requiring the other party to seek employment;
  - n. \_\_\_ awarding make-up time-sharing with minor child(ren) as follows *{explain}*: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_; and
  - o. \_\_\_ awarding other relief *{explain}*: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

I certify that a copy of this document was: [Choose only one] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on *{date}* \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Fax Number: \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made above and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC or DEPUTY CLERK\_\_\_\_\_  
[Print, type, or stamp commissioned name of notary or clerk.]

\_\_\_\_ Personally known

\_\_\_\_ Produced identification

Type of identification produced \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:** [fill in all blanks]

I, {full legal name and trade name of nonlawyer} \_\_\_\_\_,

a nonlawyer, whose address is {street} \_\_\_\_\_, {city} \_\_\_\_\_,

{state} \_\_\_\_\_, {phone} \_\_\_\_\_, helped {name} \_\_\_\_\_,

who is the [ **Choose only one** ] \_\_\_ petitioner **or** \_\_\_ respondent, fill out this form.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW RULES OF  
PROCEDURE FORM 12.900(h), NOTICE OF RELATED CASES (11/13)**

**When should this form be used?**

Florida Rule of Judicial Administration 2.545(d) requires the **petitioner** in a family law case to file with the court a notice of related cases, if any. Your circuit may also require this form to be filed even if there are no related cases. A case is considered related if:

- x it involves the same parties, children, or issues and is pending when the family law case is filed; or
- x it affects the court's jurisdiction to proceed; or
- x an order in the related case may conflict with an order on the same issues in the new case; or
- x an order in the new case may conflict with an order in the earlier case.

This form is used to provide the required notice to the court.

This form should be typed or printed in black ink. It must be **filed** with the **clerk of the circuit court** with the initial pleading in the family law case.

**What should I do next?**

A copy of the form must be served on the presiding judges, either the chief judge or the family law administrative judge, and all parties in the related cases. You should also keep a copy for your records. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

**Where can I look for more information?**

**Before proceeding, you should read "General Information for Self-Represented Litigants" found at the beginning of these forms.** The words that are in "**bold underline**" in these instructions are defined there. For further information, see Florida Rule of Judicial Administration 2.545(d).

**Special notes . . .**

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms **must** also put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,  
IN AND FOR LEVY COUNTY, FLORIDA

Case No.: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,  
and

\_\_\_\_\_  
Respondent.

**NOTICE OF RELATED CASES**

1. Petitioner submits this Notice of Related Cases as required by Florida Rule of Judicial Administration 2.545(d). A related case may be an open or closed civil, criminal, guardianship, domestic violence, juvenile delinquency, juvenile dependency, or domestic relations case. A case is "related" to this family law case if it involves any of the same parties, children, or issues and it is pending at the time the party files a family case; if it affects the court's jurisdiction to proceed; if an order in the related case may conflict with an order on the same issues in the new case; or if an order in the new case may conflict with an order in the earlier litigation.

[check **one** only]☐ **There are no related cases.**☐ **The following are the related cases (add additional pages if necessary):****Related Case No. 1**

Case \_\_\_\_\_ Name(s): \_\_\_\_\_

Petitioner \_\_\_\_\_ :

Respondent : \_\_\_\_\_

Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check **all** that apply]☐ Dissolution of Marriage☐ Paternity☐ Custody☐ Adoption☐ Child Support☐ Modification/Enforcement/Contempt Proceedings☐ Juvenile Dependency☐ Juvenile Delinquency☐ Termination of Parental Rights☐ Criminal☐ Domestic/Sexual/Dating/Repeat☐ Mental Health☐ Violence or Stalking Injunctions☐ Other {specify} \_\_\_\_\_State where case was decided or is pending: ☐ Florida ☐ Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases [check **all** that apply]:☐ pending case involves same parties, children, or issues;☐ may affect court's jurisdiction;



\_\_\_ order in related case may conflict with an order in this case;  
 \_\_\_ order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_

### Related Case No. 2

Case Name(s): \_\_\_\_\_

Petitioner : \_\_\_\_\_

Respondent : \_\_\_\_\_

Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check **all** that apply]

___ Dissolution of Marriage	___ Paternity
___ Custody	___ Adoption
___ Child Support	___ Modification/Enforcement/Contempt Proceedings
___ Juvenile Dependency	___ Juvenile Delinquency
___ Termination of Parental Rights	___ Criminal
___ Domestic/Sexual/Dating/Repeat	___ Mental Health
Violence or Stalking Injunctions	___ Other {specify} _____

State where case was decided or is pending: \_\_\_ Florida \_\_\_ Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (for example, Fifth Circuit Court, Marion County, Florida): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases [check **all that apply**]:

\_\_\_ pending case involves same parties, children, or issues;  
 \_\_\_ may affect court's jurisdiction;  
 \_\_\_ order in related case may conflict with an order in this case;  
 \_\_\_ order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_

### Related Case No. 3

Case \_\_\_\_\_ Name(s): \_\_\_\_\_

Petitioner \_\_\_\_\_ :

Respondent : \_\_\_\_\_

Case No.: \_\_\_\_\_ Division: \_\_\_\_\_

Type of Proceeding: [check **all** that apply]

___ Dissolution of Marriage	___ Paternity
___ Custody	___ Adoption
___ Child Support	___ Modification/Enforcement/Contempt Proceedings
___ Juvenile Dependency	___ Juvenile Delinquency
___ Termination of Parental Rights	___ Criminal

☐ Domestic/Sexual/Dating/Repeat  
Violence or Stalking Injunctions
                 
 ☐ Mental Health  
☐ Other {specify} \_\_\_\_\_

State where case was decided or is pending: ☐ Florida ☐ Other: {specify} \_\_\_\_\_

Name of Court where case was decided or is pending (*for example, Fifth Circuit Court, Marion County, Florida*): \_\_\_\_\_

Title of last Court Order/Judgment (if any): \_\_\_\_\_

Date of Court Order/Judgment (if any): \_\_\_\_\_

Relationship of cases [check **all** that apply]:

☐ pending case involves same parties, children, or issues;

☐ may affect court's jurisdiction;

☐ order in related case may conflict with an order in this case;

☐ order in this case may conflict with previous order in related case.

Statement as to the relationship of the cases: \_\_\_\_\_

\_\_\_\_\_

2. [check **one** only]

☐ I **do not** request coordination of litigation in any of the cases listed above.

☐ I **do** request coordination of the following cases:

\_\_\_\_\_

3. [check **all** that apply]

☐ Assignment to one judge

☐ Coordination of existing cases

will conserve judicial resources and promote an efficient determination of these cases because: \_\_\_\_\_.

4. The Petitioner acknowledges a continuing duty to inform the court of any cases in this or any other state that could affect the current proceeding.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Signature

Printed

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, \_\_\_\_\_ State, \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone \_\_\_\_\_ Number: \_\_\_\_\_

Fax \_\_\_\_\_ Number: \_\_\_\_\_

E-mail Address(es): \_\_\_\_\_

**CERTIFICATE OF SERVICE**

**I CERTIFY** that I delivered a copy of this Notice of Related Cases to the \_\_\_\_\_ County Sheriff's Department or a certified process server for service on the Respondent, and [**check all used**] (    ) e-mailed, (    ) mailed, (    ) hand delivered, a copy to {name} \_\_\_\_\_, who is the [**check all that apply**] (    ) judge assigned to new case, (    ) chief judge or family law administrative judge, (    ) {name} \_\_\_\_\_, a party to the related case, (    ) {name} \_\_\_\_\_, a party to the related case on {date} \_\_\_\_\_.

\_\_\_\_\_  
Signature of Petitioner/Attorney for Petitioner

Printed

Name:

Address: \_\_\_\_\_

City, \_\_\_\_\_ State, \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone \_\_\_\_\_ Number: \_\_\_\_\_

Fax \_\_\_\_\_ Number: \_\_\_\_\_

E-mail \_\_\_\_\_ Address(es): \_\_\_\_\_

Florida Bar Number: \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in **all** blanks] This form was prepared for the: {choose only **one**} (    ) Petitioner (    ) Respondent

This form was completed with the assistance of:

{name of individual} \_\_\_\_\_,

{name of business} \_\_\_\_\_,

{address} \_\_\_\_\_,

{city} \_\_\_\_\_, {state} \_\_\_\_\_, {telephone number} \_\_\_\_\_.

## **RULE 12.287**

### FINANCIAL AFFIDAVITS IN ENFORCEMENT AND CONTEMPT PROCEEDINGS

Any party in an enforcement or contempt proceeding may serve upon any other party a written request to file and serve a financial affidavit if the other party's financial circumstances are relevant in the proceeding. The party to whom the request is made shall file and serve the requested financial affidavit within 10 days after the service of the written request. The court may allow a shorter or longer time. The financial affidavit shall be in substantial conformity with the Florida Family Law Form 12.902(b) (Short Form), all sections of which shall be completed.

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT,  
IN AND FOR LEVY COUNTY, FLORIDA

\_\_\_\_\_  
Petitioner,  
  
and  
  
\_\_\_\_\_  
Respondent.  
  
\_\_\_\_\_ /

CASE NO: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

**REQUEST FOR FINANCIAL AFFIDAVIT**

Petitioner/Respondent (*circle one*) files this request for production of a completed Financial Affidavit pursuant to Family Law Rule of Procedure 12.287. The recipient of this request is to complete all sections of the attached Financial Affidavit and file it with the court within 10 days after receiving this written request.

I CERTIFY that this *REQUEST FOR FINANCIAL AFFIDAVIT* will be furnished to the other party by mail, \_\_\_hand delivery:

Other Party or their attorney (if represented)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
Your Signature

Printed name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

\_\_\_\_\_  
Telephone (area code and number)

## INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.910(a), SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL (09/12)

### When should this form be used?

This form should be used to obtain **personal service** on the other **party** when you begin your lawsuit. **Service** is required for **all** documents filed in your case. Service means giving a copy of the required papers to the other party using the procedure that the law requires. Generally, there are two ways to make service: (1) personal service, or (2) service by e-mail, mail, or hand delivery. A third method for service is called **constructive service**; however, the relief a court may grant may be limited in a case where constructive service has been used.

The law requires that certain documents be served by **personal service** if personal service is possible. **Personal service** means that a summons (this form) and a copy of the forms you are filing with the court that must be personally served are delivered by a deputy sheriff or private process server

- directly to the other party, **or**
- to someone over the age of fifteen with whom the other party lives.

Personal service is required for **all petitions**, including petitions for modification. You cannot serve these papers on the other party yourself or by mail or hand delivery. Personal service must be made by the sheriff's department in the county where the other party lives or works or by a private process server certified in the county where the other party lives or works.

In many counties, there are private process servers who, for a fee, will personally serve the summons and other documents that require personal service. You should look under **process servers** in the yellow pages of the telephone book for a list of private process servers in your area. You may use a private process server to serve any paper required to be personally served in a family law case **except** a petition for injunction for protection against domestic or repeat violence.

### How do I start?

When you begin your lawsuit, you need to complete this form (summons) and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). The forms should be typed or printed legibly in black ink. Next, you will need to take these forms and, if you have not already done so, **file** your petition with the **clerk of the circuit court** in the county where you live. You should keep a copy of the forms for your records. The clerk will sign the summons, and then the summons, a copy of the papers to be served, and the process service memorandum must be delivered to the appropriate sheriff's office or to a private process server for service on the other party.

**IF THE OTHER PARTY LIVES IN THE COUNTY WHERE SUIT IS FILED:** Ask the clerk in your county about any local procedures regarding service. Generally, if the other party lives in the county in which you are filing suit and you want the sheriff's department to serve the papers, you will file the summons along with a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), with the clerk and the clerk will forward those papers to the sheriff for service. Make sure that you attach a copy of the papers you want personally served to the summons. You may also need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. However, in some counties the sheriff may send the proof of service directly to the clerk. If you are instructed to supply a self-addressed, stamped envelope and you receive the proof of service, you should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office and have the clerk sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

**IF THE OTHER PARTY LIVES IN ANOTHER COUNTY:** If the other party lives in another county, service needs to be made by a sheriff in the county where the other party lives or by a private process server certified in the county where the other party lives. Make sure that you attach a copy of the papers you want personally served to the summons as well as the **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b). If you want the sheriff to serve the papers, the clerk may send your papers to that sheriff's office for you, or you may have to send the papers yourself. The clerk will tell you which procedure to use. Either way, you will need to provide the sheriff with a stamped envelope addressed to you. This will allow the sheriff to send the proof of service to you, after the sheriff serves your papers on the other party. You should file the proof of service with the clerk after you receive it from the sheriff. Also, you will need to find out how much the sheriff charges to serve the papers. Personal checks are not accepted. You should attach to the summons a cashier's check or money order made payable to the sheriff, and either give it to the clerk for delivery to the sheriff or send all of the paperwork and the fee to the sheriff yourself. The clerk will tell you which procedure to use. The costs for service may be waived if you are indigent.

If you want a private process server to serve the other party, you should still bring the summons to the clerk's office where the clerk will sign it for you. You should deliver the summons, along with the copy of your initial petition and any other papers to be served, and a **Process Service Memorandum**, Florida Supreme Court Approved Family Law Form 12.910(b), to the private process server. The private process server will charge you a fee for serving the papers. After service is complete, proof of service by the private process server must be filed with the clerk. You should discuss how this will occur with the private process server.

**IF THE OTHER PARTY CANNOT BE LOCATED OR DOES NOT LIVE IN FLORIDA:** If, after you have made a diligent effort to locate the other party, you absolutely cannot locate the other party, you may serve the other party by publication. Service by publication is also known as constructive service. You may also be able to use constructive service if the other party does not live in Florida. **However, Florida courts have only limited jurisdiction over a party who is served by constructive service and may have only limited jurisdiction over a party living outside of Florida regardless of whether that party is served by constructive or personal service;** that is, the judge's power to order the other party to do certain things may be limited. For example, the judge may be able to grant your request for a divorce, but the judge may not be able to address issues such as child support, spousal support (alimony), or division of property or debts.

Regardless of the type of service used, if the other party once lived in Florida but is living outside of Florida now, you should include in your petition a statement regarding the length of time the party lived in Florida, if any, and when. For example: Respondent last lived in Florida from {date} \_\_\_\_\_ to {date} \_\_\_\_\_.

**This area of the law is very complex and you may need to consult with an attorney regarding the proper type of service to be used in your case if the other party does not live in Florida or cannot be located.**

### **What happens when the papers are served on the other party?**

The date and hour of service are written on the original summons and on all copies of it by the person making the service. The person who delivers the summons and copies of the petition must file a proof of service with the clerk or provide a proof of service to you for filing with the court. **It is your responsibility to make sure the proof of service has been returned to the clerk and placed in your case file.**

### **Where can I look for more information?**

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** For further information regarding service of process, see chapters 48 and 49, Florida Statutes, and rule 1.070, Florida Rules of Civil Procedure, as well as the instructions for **Notice of Action for Dissolution of Marriage (No Child or Financial Support)**, Florida Supreme Court Approved Family Law Form 12.913(a)(1), **Notice of Action for Family Cases with Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.913(a)(2), **Affidavit of Diligent Service and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b), and **Affidavit of Diligent Search**, Florida Family Law Rules of Procedure Form 12.913(c).

### **Special notes...**

If you have been unable to obtain proper service on the other party within **120 days** after filing your lawsuit, the court will dismiss your lawsuit against the other party unless you can show the court a good reason why service was not made within **120 days**. For this reason, if you had the local sheriff serve the papers, you should check with the clerk every couple of weeks after completing the service papers to see if service has been completed. You may need to supply the sheriff with a new or better address. If you had a private process server or a sheriff in another county serve the papers, you should be in



contact with that person or sheriff until you receive proof of service from that person or sheriff. You should then file the proof of service with the clerk immediately.

If the other party fails to respond, i.e., fails to file a written response with the court, within **20 days** after the service of the summons, you are entitled to request a **default**. See the instructions to **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922 (a), and **Default**, Florida Supreme Court Approved Family Law Form 12.922(b), for further information. You will need to file an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), before a default may be granted.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ 8th \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ LEVY \_\_\_\_\_ COUNTY, FLORIDA

Case No.: 38-

Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

**SUMMONS: PERSONAL SERVICE ON AN INDIVIDUAL**  
**ORDEN DE COMPARECENCIA: SERVICIO PERSONAL EN UN INDIVIDUO**  
**CITATION: L'ASSIGNATION PERSONAL SUR UN INDIVIDUEL**

TO/PARA/A: *{enter other party's full legal name}* \_\_\_\_\_  
*{address (including city and state)/location for service}* \_\_\_\_\_.

**IMPORTANT**

A lawsuit has been filed against you. You have **20 calendar days** after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court, located at:  
*{street address}* 355 South Court St. Bronson, Fl. 32621

A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be **filed** if you want the Court to hear your side of the case.

**If you do not file your written response on time, you may lose the case, and your wages, money, and property may be taken thereafter without further warning from the Court.** There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the Court, you must also serve a copy of your written response on the party serving this summons at:

*{Name and address of party serving summons}* \_\_\_\_\_

**If the party serving summons has designated e-mail address(es) for service or is represented by an attorney, you may designate e-mail address(es) for service by or on you. Service must be in accordance with Florida Rule of Judicial Administration 2.516.**

**Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents, upon request.**

**You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-mail Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be served at the address on record at the clerk's office.**

**WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.**

## **IMPORTANTE**

Usted ha sido demandado legalmente. Tiene veinte (20) días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante este tribunal. Localizado en: \_\_\_\_\_. Una llamada telefónica no lo protegerá. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el número del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podría ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, usted puede consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guía telefónica.

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presente su respuesta ante el tribunal, usted debe enviar por correo o entregar una copia de su respuesta a la persona denominada abajo.

Si usted elige presentar personalmente una respuesta por escrito, en el mismo momento que usted presente su respuesta por escrito al Tribunal, usted debe enviar por correo o llevar una copia de su respuesta por escrito a la parte entregando esta orden de comparecencia a:

Nombre y dirección de la parte que entrega la orden de comparecencia: \_\_\_\_\_

**Copias de todos los documentos judiciales de este caso, incluyendo las ordenes, están disponibles en la oficina del Secretario de Juzgado del Circuito \*Clerk of the Circuit Court's office+. Estos documentos pueden ser revisados a su solicitud.**

**Usted debe de mantener informada a la oficina del Secretario de Juzgado del Circuito de su dirección actual. (Usted puede presentar \_\_\_\_\_ el Formulario: Ley de Familia de la Florida 12.915, Florida Supreme Court Approved Family Law Form 12.915, Designation of Current Mailing and E-mail Address.) Los papeles que se presenten en el futuro en esta demanda judicial serán enviados por correo a la dirección que este registrada en la oficina del Secretario.**

**ADVERTENCIA: Regla 12.285 (Rule 12.285), de las Reglas de Procedimiento de Ley de Familia de la Florida [Florida Family Law Rules of Procedure], requiere cierta revelación automática de documentos e información. El incumplimiento, puede resultar en sanciones, incluyendo la desestimación o anulación de los alegatos.**

## **IMPORTANT**

Des poursuites judiciaires ont été entreprises contre vous. Vous avez 20 jours consécutifs à partir de la date de l'assignation de cette citation pour déposer une réponse écrite à la plainte ci-jointe auprès de ce tribunal. Qui se trouve à: {L'Adresse} \_\_\_\_\_. Un simple coup de téléphone est insuffisant pour vous protéger; vous êtes obligés de déposer votre réponse écrite, avec mention du numéro de dossier ci-dessus et du nom des parties nommées ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne déposez pas votre réponse écrite dans le délai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent être saisis par la suite, sans aucun préavis ultérieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requérir les services immédiats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez téléphoner à un service de référence d'avocats ou à un bureau d'assistance juridique (figurant à l'annuaire de téléphones).

Si vous choisissez de déposer vous-même une réponse écrite, il vous faudra également, en même temps que cette formalité, faire parvenir ou expédier une copie au carbone ou une photocopie de votre réponse écrite à la partie qui vous dépose cette citation.

Nom et adresse de la partie qui dépose cette citation: \_\_\_\_\_

**Les photocopies de tous les documents tribunaux de cette cause, y compris des arrêts, sont disponibles au bureau du greffier. Vous pouvez consulter ces documents, sur demande.**

**Il faut aviser le greffier de votre adresse actuelle. (Vous pouvez déposer Florida Supreme Court Approved Family Law Form 12.915, Designation of Current Mailing and E-mail Address.) Les documents de l'avenir de ce procès seront envoyés à l'adresse que vous donnez au bureau du greffier.**

**ATTENTION: La règle 12.285 des règles de procédure du droit de la famille de la Floride exige que l'on remette certains renseignements et certains documents à la partie adverse. Tout refus de les fournir pourra donner lieu à des sanctions, y compris le rejet ou la suppression d'un ou de plusieurs actes de procédure.**

THE STATE OF FLORIDA

TO EACH SHERIFF OF THE STATE: You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named person.

DATED: \_\_\_\_\_

CLERK OF THE CIRCUIT COURT

(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

**Requesting a Hearing/Non-Jury Trial**  
**in a Family Court Case in Alachua County, Florida**

***DO NOT SUBMIT THE NOTICE THAT ACTION IS AT ISSUE***

***Until:***

- 1. All the appropriate forms or documents have been filed to include financial affidavits, child support worksheet, parenting stabilization course, etc.*
- 2. You have filed Proof of Service of Process Or Proof of Publication  
AND the Clerk has entered a default.*
- 3. Or the Respondent has filed a response or an Answer and Waiver.*
- 4. AND Mediation (352) 491-4417 has been completed if necessary.*

You will use the combined form titled “*Notice that Action is at Issue and Request for a Hearing/Non-Jury Trial*” to request a Hearing/Non-Jury Trial on your motion or petition. If you do so before the above has taken place a Hearing/Non-Jury Trial will **not** be scheduled.

**Fill in the following information:**

- f* Parties’ names (Petitioner and Respondent)
- f* Case number and Division
- f* Your name (Comes Now \_\_\_\_\_)
- f* Amount of time you think necessary for the judge to hear all the issues in your case. If your case has no disputed issues, it may take only ten minutes.
- f* Today’s date
- f* Your signature (no Notary needed)
- f* The Respondent’s name and address

**Make 2 copies of the original:**

- f* File the original with the clerk’s office.
- f* Mail or hand-deliver one copy to the Respondent.

**Each party must bring a self-addressed, stamped/metered envelope to the hearing or provided a valid e-mail address for mailing/e-mailing the final judgment or other court orders.** A party that fails to provide the necessary envelopes with postage or an e-mail address may retrieve a copy of the results of the hearing from the Clerk of the Court at the cost of \$1 per page.

IN THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT,  
IN AND FOR LEVY COUNTY, FLORIDA

\_\_\_\_\_  
Petitioner,

CASE NO.: \_\_\_\_\_

and

DIVISION: \_\_\_\_\_

\_\_\_\_\_  
Respondent.

**NOTICE THAT ACTION IS AT ISSUE AND REQUEST FOR HEARING/NON-JURY TRIAL**

**COMES NOW** \_\_\_\_\_, and shows that this action is at issue and ready for a hearing/non-jury trial. The hearing/trial is on the original action. It is estimated that the trial will require \_\_\_\_\_ minutes. Therefore, the undersigned requests the court schedule a hearing/non-jury trial in this action.

Dated: \_\_\_\_\_ (today's date)

\_\_\_\_\_  
YOUR SIGNATURE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Action has been furnished by U.S. Mail or hand delivery on \_\_\_\_\_, 20\_\_\_\_, to:  
(Print the respondent's name and address below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner

Printed

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, \_\_\_\_\_ State, \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone \_\_\_\_\_ Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_