

SELF-HELP PROCEDURES FOR PETITION FOR RELOCATION WITH CHILD(REN)

Per Florida Statutes 61.13001 (1)(e): Relocation means a change of more than 50 miles from the child(ren)'s principal place of residence at the time of the last order establishing or modifying timesharing for 60 or more consecutive days, or at the time of the filing the pending action to establish or modify time-sharing. This does not include temporary relocation for the purposes of vacation, education or health care for the child.

NOTICE OF LIMITATION OF SERVICES PROVIDED

This list of forms and procedural information are provided as a self-help service for litigants who choose to represent themselves in Court, pro se (without an attorney) and should be considered only as a guideline and not legal advice. Please remember that you are representing yourself and you alone are responsible for the choosing and correct completion and filing of the forms. 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.

Please remember that Clerk and Court personnel cannot act as your lawyer or tell you what your legal rights or remedies are, represent you in court or tell you how to testify in court. Clerk and Court personnel are not acting on behalf of the court or any judge. The presiding judge in your case may require amendment of form(s) or substitution of a different form other than those you may have obtained from the clerk's office or a legal forms provider. The form(s) you file are only a request and the judge is not required to grant the relief requested in a form. The information you give to and receive from Clerk and Court personnel is not confidential and may be subject to disclosure at a later date. If there is another person involved in your case, that person will receive the same type of assistance that you receive.

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ATTENTION: THE FOLLOWING LIST OF FORMS AND INSTRUCTIONS ARE PROVIDED AS A GUIDELINE AND NOT LEGAL ADVICE. PLEASE NOTE THAT SOME OF THE FORMS INCLUDED IN THIS PACKET MAY BE INCOMPLETE OR OUTDATED DUE TO RECENT CHANGES IN LAWS OR RULES. THIS DOES NOT CHANGE HOW THOSE LAWS OR RULES MAY AFFECT YOUR CASE OR FILING REQUIREMENTS.

- A. RELOCATION BY AGREEMENT**- parties may satisfy Florida Statutes 61.13001 (2) (a) by filing a signed and notarized written agreement that:
- a. Reflects consent to the relocation;
 - b. Defines an access and timesharing schedule for the non-relocating parent and any other persons who are entitled to access or timesharing; and
 - c. Describes, if necessary, any transportation arrangements related to access or time-sharing.
- B. NO AGREEMENT** - Pursuant to Florida Statutes 61.13001 (3), if you are unable to reach a

written agreement, the parent seeking relocation must file a Petition to Relocate and serve it on the other parent and every other person entitled to access and timesharing with the child(ren).

You may use the following forms:

- (a) Petition to Relocate with Child(ren) (attach a copy of last Order regarding access/timesharing and any written job offers related to relocation).**
- (b) Process Service Memorandum**
- (c) Uniform Child Custody Jurisdiction and Enforcement Affidavit (UCCJEA).**
- (e) Final Judgment Permitting/Denying Relocation with Children.**

The forms can be neatly handwritten, except the **Order (item e) must be typed, including all information other than what the judge will decide.** Make two (2) additional copies of the forms and a copy for your records.

1. **File the original forms with the Clerk's Office**, Family Law Division, 1st Floor, 190 Governmental Center, Pensacola, Florida 32502. Let the clerk know you need to serve the other party with your documents and a summons.

2. You must serve any other parent/person who has the right to access, timesharing or visitation with the child(ren) with the Petition to Relocate, summons, and the other forms through the Sheriff's Office or a process server. It is your responsibility to provide the summons and copies of all your documents plus any service fee that may be required to the Sheriff or Process Server in the county where the other party resides. Once the other party has been served, you will receive a Return of Service stating the date of service. The party that was served will then have 20 days from the date of service to file a response or objection.

3. **If the other party does not file a response OR files a response agreeing to the relocation**, you must file the **original and two (2) copies of the *Final Judgment* with the Clerk of Court along with two (2) self-addressed stamped envelopes** (one addressed to yourself and one to the other party). **Your file will be reviewed and sent to the assigned judge for further action. You will receive the Final Judgment or further instructions by mail.**

4. **If the other party files a timely response objecting to the relocation**, you must file a **Request for Hearing** along with two or more self addressed stamped envelopes (one addressed to each party to the case) to obtain a court hearing. You will be mailed a notice of the hearing date and time. The judge will determine whether or not to allow the relocation at that hearing.