

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.947(a), MOTION FOR TEMPORARY SUPPORT AND TIME-SHARING WITH DEPENDENT OR MINOR CHILD(REN) (10/11)

When should this form be used?

This form may be used by:

- (1) The **respondent** or the **petitioner** in a pending **dissolution of marriage** action. For you to use this form, a **petition** for dissolution of marriage must have already been filed. You should use this form to ask the court to award any of the following: temporary use of assets; temporary exclusive use of the marital home; temporary responsibility for liabilities/debts; temporary spousal support (**alimony**); temporary time-sharing schedule with minor child(ren); temporary **child support**; and other relief.

OR

- (2) The petitioner in a pending action for support unconnected with dissolution. For you to use this form, a petition for support unconnected with dissolution of marriage must have already been filed. You should use this form to ask the court to award temporary spousal support (alimony) and/or temporary child support.

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where the petition for dissolution of marriage was filed and keep a copy for your records.

What should I do next?

A copy of this form, along with all of the other forms required with this motion, must be mailed or hand delivered to the other party in your case. When you have filed all of the required forms, you are ready to set a **hearing** on your motion. You should check with the clerk, **family law intake staff**, or **judicial assistant** for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should notify the other party using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

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. Words in **bold underline** in these instructions are defined there. For further information, see chapter 61, Florida Statutes, rule 12.285, Florida Family Law Rules of Procedure, and rule 1.610, Florida Rules of Civil Procedure.

Special notes...

If you use paragraph 1.c. of this form to ask the court to enter a temporary injunction, the court may require you to post a **bond**.

With this form you must also file the following, if not already filed:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), if this case involves a minor or dependent child(ren).
- **Notice of Social Security Number**, Florida Supreme Court Approved Family Law Form 12.902(j).
- **Child Support Guidelines Worksheet**, Florida Family Law Rules of Procedure Form 12.902(e), if you are asking that temporary child support be ordered. (If you do not know the other party's income, you may file this worksheet as soon as a copy of his or her financial affidavit has been served on you.)

The parties seeking relief shall serve a financial affidavit (Florida Family Law Rules of Procedure Form 12.902 (b) or (c) and certificate of compliance (Florida Family Law Rules of Procedure Form 12.932) with the notice of hearing on the motion for temporary support and time-sharing.

Parenting Plan. If you have reached an agreement on either a temporary Parenting Plan or time-sharing schedule, the proposed temporary Parenting Plan or time-sharing schedule, signed by both parties, should be filed. Florida Supreme Court Family Law Form 12.995(a), 12.995(b), or 12.995(c). If you have **not** reached an agreement, a proposed Parenting Plan or temporary time-sharing schedule may be filed for consideration by the Court.

Temporary Order... These family law forms contain a **Temporary Order for Support and Time-Sharing with Dependent or Minor Child(ren)**, Florida Supreme Court Approved Family Law Form 12.947(b), which the judge may use. You should check with the clerk, family law intake staff, or judicial assistant to see if you need to bring it with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing.

Nonlawyer. 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 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.

THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No: _____

Division: _____

_____,
Petitioner,

And

_____,
Respondent.

**MOTION FOR TEMPORARY SUPPORT AND TIME-SHARING
WITH DEPENDENT OR MINOR CHILD(REN)**

The () Petitioner () Respondent requests that the Court enter an order granting the following temporary support:

[complete all that apply]

1. Assets and Liabilities.

a. ___ **Award temporary exclusive use and possession of the marital home.** {address} _____

The Court should do this because: _____

b. ___ **Award temporary use and possession of marital assets.** {Specify, without giving account numbers}

The Court should do this because: _____

c. ___ **Enter a temporary injunction** prohibiting the parties from disposing of any marital assets, other than ordinary and usual expenses. {Explain} _____

The Court should do this because: _____

d. **Require temporary payment of specific marital debts.** *{Explain without using account numbers}* _____

The Court should do this because: _____

2. Child(ren).

a. **Enter a temporary Parenting Plan with a time-sharing schedule for the parties' minor child(ren).** _____

b. **Enter a temporary injunction prohibiting the parties from permanently removing the child(ren) from the jurisdiction of the Court. The Court should do this because:** _____

3. Support.

a. **Award temporary child support of \$ _____ per month.**

b. **Award temporary spousal support/alimony of \$ _____ per month.**

The Court should do this because: _____

4. Attorney's fees and costs.

a. **Award temporary attorney's fees of \$ _____**

b. **Award temporary costs of \$ _____.**

The Court should do this because: _____

5. Other Relief. *{specify}* _____

6. A completed Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit, Florida Florida Supreme Court Approved Family Law Form 12.947(a), Motion for Temporary Support and Time-Sharing with Dependent or Minor Child(ren) (10/11)

Supreme Court Approved Family Law Form 12.902(d), is filed with this motion or has already been filed with the Court.

7. A completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), if required, is filed with this motion or has already been filed with the Court.

I request that the Court hold a hearing on this matter and grant the relief specifically requested and any other relief this Court may deem just and proper.

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: _____

Signature of Party or his/her attorney

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

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 petitioner, fill out this form.