

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.905(a),
SUPPLEMENTAL PETITION TO MODIFY PARENTAL RESPONSIBILITY,
VISITATION OR PARENTING PLAN/ TIME-SHARING SCHEDULE AND
OTHER RELIEF (12/10)**

When should this form be used?

This form should be used when you are asking the court to change the current parental responsibility, visitation, and/or Parenting Plan/time-sharing schedule. A determination of parental responsibility, a Parenting Plan and a time-sharing schedule may not be modified without a showing of a substantial, material, and unanticipated change in circumstances and a determination that the modification is in the best interests of the child(ren).

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** this form in the county where the original order or judgment was entered. If the order or judgment was entered in another state, or if the child(ren) live(s) in another state, you should speak with an **attorney** about where to file this form. You should file the original with the **clerk of the circuit court** and keep a copy for your records.

What should I do next?

For your case to proceed, you must properly notify the other party in your case of the **supplemental petition**. If you know where he or she lives, you should use **personal service**. If you absolutely do not know where he or she lives, you may use **constructive service**. You may also be able to use constructive service if the other party resides in another state or country. However, if constructive service is used, other than granting a dissolution of marriage, the court may only grant limited relief. For more information on constructive service, see **Notice of Action for Dissolution of Marriage**, Florida Supreme Court Approved Family Law Form 12.913(a), and **Affidavit of Diligent Search and Inquiry**, Florida Family Law Rules of Procedure Form 12.913(b). If the other party is in the military service of the United States, additional steps for service may be required. See, for example, **Memorandum for Certificate of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(a). In sum, the law regarding constructive service and service on an individual in the military service is very complex and you may wish to consult an attorney regarding these issues.

If personal service is used, the other party has 20 days to **answer** after being served with your supplemental petition. Your case will then generally proceed in one of the following three ways:

DEFAULT... If after 20 days, no answer has been filed, you may file a **Motion for Default**, Florida Supreme Court Approved Family Law Form 12.922(a), with the clerk of court. Then, if you have filed

Instructions for Florida Supreme Court Approved Family Law Form 12.905(a), Supplemental Petition to Modify Parental Responsibility, Visitation, or Parenting Plan/Time-Sharing Schedule and Other Relief (12/10)

Sample Interactive Form

IN THE CIRCUIT COURT OF THE
IN AND FOR

JUDICIAL CIRCUIT,
COUNTY, FLORIDA

Case No.:

Division:

Petitioner,

and

Respondent.

**SUPPLEMENTAL PETITION TO MODIFY PARENTAL RESPONSIBILITY, VISITATION, OR
PARENTING PLAN/TIME-SHARING SCHEDULE AND OTHER RELIEF**

I, {full legal name}, being sworn, certify that
the following information is true:

1. The parties to this action were granted a final judgment of () dissolution of marriage () paternity on {date}. A copy of the final judgment and any modification(s) is attached.
2. Paragraph(s) of the () final judgment or () most recent modification thereof describes the present parental responsibility, visitation, or Parenting Plan/Time-Sharing schedule.
3. Since the final judgment or last modification thereof, there has been a substantial, material and unanticipated change in circumstances, requiring a modification of the parental responsibility, visitation, or Parenting Plan/Time-Sharing schedule. Those changes are as follows: {explain}
4. I ask the Court to modify the parental responsibility, visitation,- Parenting Plan or Time-Sharing schedule as follows: {explain}

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

Dated:

Signature of Petitioner

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 deputy 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 **one** only] petitioner **or** respondent,

fill out this form.

Sample Interactive Form