

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

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

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

IN THE INTEREST OF

\_\_\_\_\_  
Child(ren)  
\_\_\_\_\_,  
Petitioner,  
and  
\_\_\_\_\_,  
Respondent/\_\_\_\_\_,  
\_\_\_\_\_,  
Respondent/\_\_\_\_\_.

**ORDER GRANTING PETITION FOR  
TEMPORARY CUSTODY BY EXTENDED FAMILY**

This case came before this Court for a hearing on a Petition for Temporary Custody by Extended Family. The Court, having reviewed the file and heard the testimony, makes these findings of fact and reaches these conclusions of law:

**SECTION I. FINDINGS:**

1. The Court has jurisdiction over the subject matter and the parties.

2. The minor child(ren) at issue in this matter are:

Name	Date of Birth
_____	_____
_____	_____
_____	_____

3. The Petitioner, *{full legal name}* \_\_\_\_\_ is the *{extended family relationship}* \_\_\_\_\_ of the child(ren).

4. Parent *{full legal name}*, \_\_\_\_\_ referred to as *{name or designation}* \_\_\_\_\_ of the child(ren):

{Choose **one** only}

- a. \_\_\_\_ Filed a Waiver and Consent
- b. \_\_\_\_ Was served with the petition and failed to file an Answer
- c. \_\_\_\_ Is deceased as evidenced by: \_\_\_\_\_
- d. \_\_\_\_ Objected to the petition. Based upon clear and convincing evidence, the Court finds that the Parent {*name or designation*} \_\_\_\_\_ is unfit to provide for the care and control of the child(ren). Specifically, the Parent has abused, abandoned, or neglected the child(ren) as defined in Chapter 39, Florida Statutes. It is in the best interest of the child(ren) that the Petitioner have temporary custody because: {*facts in support of finding*} \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

5. Parent {*full legal name*}, \_\_\_\_\_ referred to as, {*name or designation*} \_\_\_\_\_ of the child(ren):

{Choose **one** only}

- a. \_\_\_\_ Filed a Waiver and Consent
- b. \_\_\_\_ Was served with the petition and failed to file an Answer
- c. \_\_\_\_ Is deceased as evidenced by: \_\_\_\_\_
- d. \_\_\_\_ Objected to the petition. Based upon clear and convincing evidence, the Court finds that Parent {*name or designation*} \_\_\_\_\_ is unfit to provide for the care and control of the child(ren). Specifically, the Parent has abused, abandoned, or neglected the child(ren) as defined in Chapter 39, Florida Statutes. It is in the best interest of the child(ren) that the Petitioner have temporary custody because: {*facts in support of finding*} \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

6. It is in the best interest of the child(ren) for the Petitioner to have temporary custody.

**SECTION II: TEMPORARY CUSTODY**

1. The Petitioner, \_\_\_\_\_, is granted temporary custody of the minor child(ren).
2. The Petitioner shall have all the rights and responsibilities of a legal parent.
3. The Petitioner is authorized to make all reasonable and necessary decisions for the minor child(ren), including but not limited to:
  - a. Consent to all necessary and reasonable medical and dental care for the child(ren), including nonemergency surgery and psychiatric care;
  - b. Secure copies of the child(ren)'s records, held by third parties, that are necessary for the care of the child(ren), including, but not limited to: medical, dental, and psychiatric records; birth certificates and other records; and educational records;
  - c. Enroll the child(ren) in school and grant or withhold consent for the child(ren) to be tested or placed in special school programs, including exceptional education; and
  - d. Do all other things necessary for the care of the child(ren).

**SECTION III. TEMPORARY TIME-SHARING WITH MINOR CHILD(REN)**

*{Insert the name or designation of the appropriate parent in the spaces provided.}*

The parent(s) shall have: *{Choose **one** only}*

1. \_\_\_\_\_ **reasonable** time-sharing with the minor child(ren) as agreed to by the parties, subject to the following limitations: \_\_\_\_\_  
\_\_\_\_\_.

2. \_\_\_\_\_ the following **specified time-sharing schedule**: *{specify days and times}* \_\_\_\_\_  
\_\_\_\_\_.

**Parent {name or designation} \_\_\_\_\_'s Temporary Time-Sharing Schedule.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**Parent {name or designation} \_\_\_\_\_'s Temporary Time-Sharing Schedule.**

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

3. \_\_\_\_ Time-Sharing in accordance with the temporary **Parenting Plan** attached as Exhibit \_\_\_\_.
4. Parent *{name or designation}* \_\_\_\_\_ shall have **No Contact** with the minor child(ren) until further order of the Court, due to existing conditions that are detrimental to the welfare of the minor child(ren): *{explain}* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

#### SECTION IV. CHILD SUPPORT

*{Insert the name or designation of the appropriate parent in the spaces provided.}*

1. The Petitioner \_\_\_\_ did \_\_\_\_ did not request the establishment of child support.
2. **If child support is requested**, the parents have received personal or substituted service of process, the petition requests an order for support of the child(ren), and there is evidence of the parents' ability to pay the support ordered. Parent(s) *{name or designation}* \_\_\_\_\_ has the present ability to pay child support.  
*{Choose one only}*

a. \_\_\_\_ The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e) filed by Parent(s) *{name or designation}* \_\_\_\_\_ are correct;

**OR**

b. \_\_\_\_ The Court makes the following findings:  
Parent *{name or designation}* \_\_\_\_\_'s net monthly income is \$\_\_\_\_\_, (Child Support Guidelines \_\_\_\_%).

Parent *{name or designation}* \_\_\_\_\_'s net monthly income is \$\_\_\_\_\_, (Child Support Guidelines \_\_\_\_%)

Monthly child care costs are \$\_\_\_\_\_.

Monthly health/dental insurance costs are \$\_\_\_\_\_.

**OR**

c. Parent *{name or designation}* \_\_\_\_\_ is currently ordered to pay child support to the other parent in the amount of \$\_\_\_\_\_ per \_\_\_\_\_ as established in the case of *{style of case and number}* \_\_\_\_\_.

\_\_\_\_\_ All of the child support or \_\_\_\_\_ a portion of the child support in the amount of \$ \_\_\_\_\_ shall be **redirected** to the Petitioner.

### 3. Amount

#### a. Parent *{name or designation}* \_\_\_\_\_'s Obligation

Parent *{name or designation}* \_\_\_\_\_ shall be obligated to pay child support at the rate of \$ \_\_\_\_\_ per month for the \_\_\_\_\_ children *{total number of parties' minor or dependent children}* commencing \_\_\_\_\_ *{month, day, year}* and terminating \_\_\_\_\_ *{month, day, year}*.

Child support shall be paid in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ *{week, month, other}* which is consistent with Parent *{name or designation}* \_\_\_\_\_'s current payroll cycle.

Upon the termination of the obligation of child support for one of the parties' children, child support in the amount of \$ \_\_\_\_\_ for the remaining \_\_\_\_\_ children *{total number of remaining children}* shall be paid commencing \_\_\_\_\_ *{month, day, year}* and terminating \_\_\_\_\_ *{month, day, year}*. This child support shall be paid in the amount of \$ \_\_\_\_\_ per \_\_\_\_\_ *{week, month, other}* consistent with Parent *{name or designation}* \_\_\_\_\_'s current payroll cycle.

***{Insert paragraph for the child support obligation, including the amount, and commencement and termination dates, for the remaining minor or dependent children, which shall be payable as the obligation for each child ceases.}***

Parent *{name or designation}* \_\_\_\_\_ shall pay child support until all minor or dependent children: reach the age of 18; become emancipated, marry, join the armed services, die, or become self-supporting; or until further order of the court or agreement of the parties. The child support obligation shall continue beyond the age of 18 and until high school graduation for any child who is dependent in fact, between the ages of 18 and 19, and is still in high school, performing in good faith with a reasonable expectation of graduation before the age of 19.

If the child support ordered deviates from the guidelines more than 5%, the factual findings which support that deviation are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

#### b. Parent *{name or designation}* \_\_\_\_\_'s Obligation

Parent *{name or designation}* \_\_\_\_\_ shall be obligated to pay child support at the rate of \$ \_\_\_\_\_ per month for the \_\_\_\_\_ children *{total number of parties' minor or dependent children}* commencing \_\_\_\_\_ *{month, day,*

year} and terminating \_\_\_\_\_ {month, day, year}. Child support shall be paid in the amount of \$\_\_\_\_\_ per \_\_\_\_\_ {week, month, other} consistent with Parent {name or designation} \_\_\_\_\_'s current payroll cycle.

Upon the termination of the obligation of child support for one of the parties' children, child support in the amount of \$\_\_\_\_\_ for the remaining \_\_\_\_\_ children {total number of remaining children} shall be paid commencing \_\_\_\_\_ {month, day, year} and terminating \_\_\_\_\_ {month, day, year}. This child support shall be paid in the amount of \$\_\_\_\_\_ per \_\_\_\_\_ {week, month, other} consistent with Parent {name or designation} \_\_\_\_\_'s current payroll cycle.

***{Insert paragraph for the child support obligation, including the amount, and commencement and termination dates, for the remaining minor or dependent children which shall be payable as the obligation for each child ceases.}***

Parent {name or designation} \_\_\_\_\_ shall pay child support until all of the minor or dependent children: reach the age of 18; become emancipated, marry, join the armed services, die, or become self-supporting; or until further order of the court or agreement of the parties. The child support obligation shall continue beyond the age of 18 and until high school graduation for any child who is dependent in fact, between the ages of 18 and 19, and is still in high school, performing in good faith with a reasonable expectation of graduation before the age of 19.

If the child support ordered deviates from the guidelines more than 5%, the factual findings which support that deviation are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**4. Retroactive Child Support and/or Arrearages**

***{If both parents are ordered to pay retroactive child support and/or arrearages, please include a separate paragraph for each parent.}***

a. \_\_\_\_\_ Parent {name or designation} \_\_\_\_\_ shall pay retroactive child support in the amount of \$\_\_\_\_\_ as of {date} \_\_\_\_\_ to the Petitioner. The retroactive child support shall be paid in the amount of \$\_\_\_\_\_ per month, payable \_\_\_\_\_ in accordance with the employer's payroll cycle, and in any event at least once per month, or \_\_\_\_\_ other {explain} \_\_\_\_\_ commencing {date} \_\_\_\_\_, until paid in full including statutory interest.

b. \_\_\_\_\_ Parent {name or designation} \_\_\_\_\_ owes child support arrearages in the amount of \$\_\_\_\_\_ as of {date} \_\_\_\_\_ to the

other parent. The child support arrearages shall be paid in the amount of \$ \_\_\_\_\_ per month, payable \_\_\_\_\_ in accordance with the parent's employer's payroll cycle, and in any event at least once per month, or \_\_\_\_\_ other {explain} \_\_\_\_\_ commencing {date} \_\_\_\_\_, until paid in full including statutory interest.

5. **Insurance**

{Indicate *all* that apply}

a. Parent {name or designation} \_\_\_\_\_ shall be required to maintain \_\_\_\_\_ health and/or \_\_\_\_\_ dental insurance for the parties' minor child(ren), so long as reasonable in cost and accessible to the child(ren). The party providing insurance shall be required to convey insurance cards demonstrating said coverage to the Petitioner and other parent.

**OR**

\_\_\_\_\_ health and/or \_\_\_\_\_ dental insurance is either not reasonable in cost or accessible to the child(ren) at this time.

b. \_\_\_\_\_ Reasonable and necessary uninsured medical/dental/prescription drug costs for the minor child(ren) shall be assessed as follows:

\_\_\_\_\_ Shared equally by both parents.

\_\_\_\_\_ Prorated according to the child support guidelines percentages.

\_\_\_\_\_ Other {explain} \_\_\_\_\_

As to these uninsured medical/dental/prescription drug expenses, the party who incurs the expense shall submit a request for reimbursement to the parent or parents within 30 days, and the parent or parents, within 30 days of receipt, shall submit the applicable reimbursement for that expense.

**SECTION V. METHOD OF PAYMENT**

The parent(s) shall pay court-ordered child support and arrearages, if any, as follows:

1. **Place of Payment**

a. \_\_\_\_\_ Parent(s) shall pay court-ordered support directly to either the State Disbursement Unit or the central depository, as required by statute, along with any fee required by statute.

**OR**

b. \_\_\_\_\_ The Petitioner and the Parent(s) have requested and the Court finds that it is in the best interest of the child(ren) that support payments need not be directed

through either the State Disbursement Unit or the central depository at this time; however, any party may subsequently apply, pursuant to section 61.13(1)(d)(3), Florida Statutes, to require payment through either the State Disbursement Unit or the central depository.

**2. Income Deduction**

*(If applicable)*

a. **Immediate.**

\_\_\_\_\_ Parent {name or designation} \_\_\_\_\_ and {if applicable}  
\_\_\_\_\_ Parent {name or designation} \_\_\_\_\_, hereinafter, Obligor(s), shall pay through income deduction, pursuant to a separate Income Deduction Order which shall be effective immediately. Obligor(s) is (are) individually responsible for paying this support obligation until all of said support is deducted from his/her income. Until support payments are deducted, the Obligor(s) is (are) responsible for making timely payments directly to the State Disbursement Unit or the Petitioner as previously set forth in this Order.

b. **Deferred.** Income deduction is ordered this day, but it shall not be effective until a delinquency of \$ \_\_\_\_\_, or, if not specified, an amount equal to one month's obligation occurs. Income deduction is not being implemented immediately based on the following findings: Income deduction is **not** in the best interests of the child(ren) because: {explain} \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**AND**

There is proof of timely payment of a previously ordered obligation without an Income Deduction Order,

**AND**

\_\_\_\_\_ there is an agreement by the Obligor(s) to advise the Title IV-D agency, the clerk of court, and the Petitioner of any change in Payor(s) and/or health insurance OR \_\_\_\_\_ there is a signed, written agreement providing an alternative arrangement between the Petitioner and the Obligor(s) and, at the option of the IV-D agency, by the IV-D agency in IV-D cases in which there is an assignment of support rights to the state, reviewed and entered into the record by the court.

c. **Bonus/one-time payments.**

*{Choose one only}*

\_\_\_\_\_ All

\_\_\_\_\_ %

\_\_\_\_\_ No income paid in the form of a bonus or other similar one-time payment, up to the amount of any arrearage or the remaining balance thereof owed pursuant to this

order, shall be forwarded to the Petitioner pursuant to the payment method prescribed above.

d. **Other provisions relating to method of payment:** \_\_\_\_\_  
\_\_\_\_\_.

**SECTION VI. ATTORNEY'S FEES, COSTS, AND SUIT MONEY**

{Choose **one** only}

1. The \_\_\_\_ Petitioner's \_\_\_\_ Respondents' request(s) for attorney's fees, costs, and suit money is (are) denied because \_\_\_\_\_  
\_\_\_\_\_.
2. \_\_\_\_ The Court finds there is a need for and ability to pay attorney's fees, costs, and suit money. \_\_\_\_ Petitioner \_\_\_\_ Respondent(s) is (are) ordered to pay the other party \$ \_\_\_\_\_ in attorney's fees, and \$ \_\_\_\_\_ in costs. The Court further finds that the attorney's fees are awarded based on the reasonable rate of \$ \_\_\_\_\_ per hour and \_\_\_\_\_ reasonable hours. Other provisions relating to attorney's fees, costs, and suit money are as follows: \_\_\_\_\_  
\_\_\_\_\_.

**SECTION VII. OTHER PROVISIONS**

1. **Other Provisions** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
2. The Court reserves jurisdiction to modify and enforce this Order for Temporary Custody.

**DONE AND ORDERED** in \_\_\_\_\_, Florida on {date} \_\_\_\_\_

\_\_\_\_\_  
CIRCUIT JUDGE

I certify that a copy of this Order for Temporary Custody was \_\_\_\_\_ mailed \_\_\_\_\_ faxed and mailed \_\_\_\_\_ e-mailed \_\_\_\_\_ hand-delivered to the parties and any entities listed below on {date} \_\_\_\_\_.

by \_\_\_\_\_  
{Clerk of court or designee}.

Petitioner (or his or her attorney)

Respondents (or his or her attorney(s))

\_\_\_\_\_ State Disbursement Unit

\_\_\_\_\_ Central Depository

\_\_\_\_\_ Other \_\_\_\_\_