

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

SUPPLEMENTAL TEMPORARY JUDGMENT MODIFYING PARENTING ISSUES FOR CHILD(REN) OF A PARENT ACTIVATED, DEPLOYED, OR TEMPORARILY ASSIGNED TO MILITARY SERVICE

This cause came before this Court on a Supplemental Petition for Temporary Modification of Custody or Parenting Plan/Time-Sharing Schedule for Child(ren) of a Parent Activated, Deployed, or Temporarily Assigned to Military Service. The Court, having reviewed the file, heard the testimony, and being otherwise fully advised, 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 last order establishing or modifying parental responsibility, visitation, or time-sharing was entered on *{date}* _____.
3. There is clear and convincing evidence that it is in the best interests of the minor child(ren) that the current order establishing parental responsibility, visitation, and time-sharing be temporarily changed as the () Mother () Father is activated, deployed, or temporarily assigned to military service. Specifically, _____

_____.

SECTION II. TEMPORARY PARENTING PLAN ESTABLISHING PARENTAL RESPONSIBILITY AND TIME-SHARING WITH DEPENDENT OR MINOR CHILD(REN)

1. **Jurisdiction.** The Court has jurisdiction to determine parental responsibility, to establish or approve a Parenting Plan, and time-sharing with regards to the parties' minor child(ren) listed in paragraph 2 below.

2. **The parties' dependent or minor child(ren) is (are):**

Name	Birth date
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

3. **Parenting Plan.** The parties shall comply with the temporary Parenting Plan which is attached and incorporated herein as Exhibit ____.

SECTION III. CHILD SUPPORT

1. **Temporary Modification of Child Support.**

[one only]

- a. ___The () Mother's () Father's current obligation to pay child support is:(Choose only one)
() Abated
() Suspended
() Modified to \$_____ per _____.

- b. ___ The Court finds that there is a need for temporary modification of child support and that the service member() Mother () Father (hereinafter Obligor) has the present ability to pay child support. The amounts in the Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e), filed by the () Mother () Father are correct **OR** the Court makes the following findings: The Mother's net monthly income is \$_____, (Child Support Guidelines_ %). The Father's net monthly income is \$_____, (Child Support Guidelines __%). Monthly child care costs are \$_____. Monthly health/dental insurance costs are \$_____.

2. **Amount.** Obligor shall be obligated to pay child support in the amount of \$_____, per month payable () in accordance with Obligor's employer's payroll cycle, and in any event at least once a month () other {*explain*}: _____
_____ beginning {*date*} _____, and continuing either until:

() the youngest of the minor child(ren) reaches the age of 18, become(s) emancipated, marries, dies, or otherwise becomes self-supporting;

OR

() one of the minor children reaches the age of 18, become(s) emancipated, marries, dies, or otherwise becomes self-supporting and either party files a supplemental petition to modify child support and the court enters such an order;

OR

() upon the service member parent's return from active military service, deployment, or temporary assignment;

OR

() {date/event} _____,
{explain} _____.

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

3. **Arrearage/Retroactive Child Support.**

[one only]

a. ___ There is no child support arrearage at the time of this Supplemental Temporary Judgment.

b. ___ The () Mother () Father shall pay to the other party the child support arrearage of: \$_____ for retroactive child support, as of {date} _____. \$_____ for previously ordered unpaid child support, as of {date} _____. The total of \$_____ in child support arrearage shall be repaid in the amount of \$_____, per month payable () in accordance with Obligor's employer's payroll cycle, and in any event at least once a month () other {explain} _____

_____ beginning {date} _____, until paid in full including statutory interest.

4. **Insurance.**

[all that apply]

a. ___ **Health/Dental Insurance.**

(one only)

___ The service member () Mother () Father shall enroll the child(ren) as a military dependent(s) with DEERs, TriCare, or other similar benefits available to military dependents as provided by the service member's branch or service and federal regulations;

OR

___ The () Mother () Father shall maintain () health and/or () dental insurance coverage for the parties' minor child(ren), so long as reasonably available. The party providing coverage shall be required to convey insurance cards demonstrating said coverage to the other party;

OR

___ () Health () dental insurance is not reasonably available 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 guideline 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 other party within 30 days, and the other party, within 30 days of receipt, shall submit the applicable reimbursement for that expense, according to the schedule of reimbursement set out in this paragraph.

5. **Life Insurance (to secure payment of support).** To secure the child support obligations in this judgment, () Mother () Father () Each party shall maintain life insurance coverage, in an amount of at least \$_____, on () his life () her life () his/her life naming the () minor child(ren) as the beneficiary(ies) **OR** naming the () Mother () Father () other *{name}* _____ as Trustee for the minor child(ren), so long as reasonably available. The obligation to maintain the life insurance coverage shall continue until the first of the parties' minor children reaches the age of 18, until one of the parties' children becomes emancipated, marries, dies, otherwise becomes self-supporting, at which time the amount of life insurance shall be recomputed, or until the temporary child support obligation is terminated.

6. **IRS Income Tax Exemption(s).** The assignment of any tax exemption(s) for the child(ren) shall be as follows: _____

Further, each party shall execute any and all IRS forms necessary to effectuate the provisions of this paragraph.

7. **Other provisions relating to child support:** _____

SECTION IV. METHOD OF PAYMENT

Obligor shall pay court-ordered child support and arrears, if any, as follows:

1. **Central Governmental Depository.**
[if applies]
 - a. ___ Obligor shall pay court-ordered support directly to the Central Governmental Depository in *{name of county}* _____ County, along with any depository service charge.
 - b. ___ Both parties have requested and the court finds that it is in the best interests of the child(ren) that support payments need not be directed through the Central Governmental Depository. However, either party may subsequently apply to the depository pursuant to section 61.13(1)(d)3, Florida Statutes, to require payments through the Central Governmental Depository.
2. **Income Deduction.**

[if applies]

- a. **Immediate.** Obligor shall pay through income deduction, pursuant to a separate Income Deduction Order which shall be effective immediately. Obligor is individually responsible for paying this support obligation until all of said support is deducted from Obligor's income. Until support payments are deducted from Obligor's paycheck, Obligor is responsible for making timely payments directly to the Central Governmental Depository or the Obligee, 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 to advise the central governmental depository of any change in payor and health insurance **OR** () there is a signed written agreement providing an alternative arrangement between the Obligor and the Obligee.

3. **Bonus/one-time payments.** () 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 Obligee pursuant to the payment method prescribed above.
4. **Other provisions relating to method of payment.** _____

SECTION V. ATTORNEY FEES, COSTS, AND SUIT MONEY

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

SECTION VI. OTHER

1. **Other Provisions.** _____

2. The Court reserves jurisdiction to modify and enforce this Supplemental Temporary Judgment.
3. Unless specifically modified by this supplemental temporary judgment, the provisions of all final judgments or orders in effect remain the same.

ORDERED on _____.

CIRCUIT JUDGE

A copy of the *{name of document(s)}* _____
was [**only one**] () mailed () faxed and mailed () hand delivered to the parties listed below on
{date} _____ by *{clerk of court or designee}* _____.

Petitioner (or his or her attorney)
Respondent (or his or her attorney)
Central Governmental Depository
Other: _____