

Florida Manual for Incarcerated Parents

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A Note on Sample Forms

The instructions and select sample documents throughout this Manual are general guides designed to help you get a sense of what these documents might look like. These forms are not intended to be copied and submitted to the court.

Many courts have specific requirements, such as specific forms for petitions. It is important to follow the requirements of the court in which you are filing, including any specific forms that the court provides. You or the child's caregiver can contact the pro se (self-help) family law clerk for your county before filing anything with the court. The clerk or local Legal Aid office can help your child's caregiver in following the correct procedures.

There may be fees that are required to obtain forms and assistance, and court fees required for filing certain documents with the court. You can apply for financial assistance or payment options if you or your child's caregiver cannot afford the fees and the clerk should tell you or the caregiver what steps must be taken.

For contact information for self-help or family law assistance clerks in your circuit and/or county, please see Appendix C.

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Introduction

Who should use this Manual?

This Manual is designed to help parents who are incarcerated in Florida prisons and jails understand their rights and responsibilities as parents. Whether you have children when you become incarcerated, or they are born during your incarceration, caring for your children while you are incarcerated becomes a very difficult task. Many things can happen that can affect how much control you can have over your child's care and well-being when you are in jail or prison.

The information in this Manual is not intended to be legal advice.

This Manual contains general information and information about Florida law that is current through the date of publication. It has been organized into general sections with questions you may have in the beginning of each section. There are some sample forms and letters throughout the Manual that you can adapt to your situation and use as guides for creating your own documents. If you are looking for a specific sample form, you can refer to the index of forms. Remember, many courts require that you use forms that have been created specifically for their court. You and the child's caregiver should contact the local Legal Aid office and the Clerk of Courts in the circuit handling your family law case to be sure that you are using the right forms and following proper procedures.

Because every person's situation is very unique, not all of the information in this Manual may apply to your circumstances, or information you need may not be included. You should check the current status of the law and seek the advice of an attorney when making important legal decisions. You should also be aware that court deadlines are very important. You are responsible for meeting all deadlines, and you should be sure that you meet **all** deadlines because you can lose your rights if you miss them.

Where can I get more advice?

In many situations, you will have the right to an attorney. An attorney that represents you and your interests is often the best

This Manual is designed to help you understand your rights and responsibilities under Florida law, and help you ensure that you are able to achieve the best situation for you and your child while you are incarcerated.

The fact that you are incarcerated will have an effect on your ability to participate in your child's life. The fact that you are in jail or prison will matter in any court proceedings related to the well-being of your child. **But, it is important to understand that the issues covered in this Manual are not related to your criminal charges.** Court proceedings related to your child are entirely separate from criminal court. Any issue that relates to your children and family life probably will be heard by a different judge than the one who sentenced you. Even if it is the same judge, it will be an entirely different court matter.

source of advice. When you have a right to an attorney, you should be sure you tell the court that you want an attorney. You should talk with your attorney about what you can do to prepare for hearings and other proceedings related to your child. This Manual is not intended to substitute for legal advice from an attorney representing you.

You can seek legal assistance from Legal Aid providers or private attorneys. You should understand that judges, pro se assistants in courthouses, clerks of court, and attorneys or representatives from the Department of Children and Families (DCF) **cannot give you legal advice.** ONLY an attorney that has agreed to represent your interests can give you legal advice. Florida Institutional Legal Services cannot provide direct representation or personalized answers to every incarcerated parent in Florida seeking assistance.

This Manual includes resource information to help you contact the DCF in the event your family is involved with this state agency. You may be able to find out more about your family's case by contacting the case worker, and you may want to stay in touch with the case worker. **You should understand that a DCF attorney or representative does not represent your interests as a parent. You should seek independent advice if you have questions or concerns about how DCF is interacting with your family.**

This Manual also contains contact information for additional legal resources that may be available to you, your children, or their caregivers. As with all information provided in this Manual, this is general information and certain resources may not be available to you in your situation.

We hope that you find this Manual helpful as you work to preserve your family's well-being while you are incarcerated.

setting up a caregiver for your child while you are incarcerated

Some of the issues covered in this section are:

- Who can take care of my child while I am incarcerated?
- Is it OK for a friend to take care of my child while I am incarcerated?
- Do I need any legal documents to allow a friend or family member to take care of my child while I am incarcerated?
- What if the court is already involved in my child's life?
- What if I want to sign something that lets a friend or relative take care of my child?
- What do I do if I change my mind about who is taking care of my child?
- What is a Power of Attorney?

There are many ways you can set up care for your child while you are incarcerated. It is best to choose a caregiver who you completely trust, who is responsible and stable, and who will provide a healthy, safe, and loving home for your child. Remember, choosing a caregiver who you trust to protect your child's health and safety should be your biggest concern, because you will not be able to protect your child on a day to day basis while you are incarcerated.

You can make whatever arrangements you are comfortable with. Some parents choose to have no legal documents at all. Others choose to have some court involvement to create a more permanent situation. Still others choose to give up their parental rights totally and leave their child's life. You can choose whatever arrangement is best for you and your family.

You should understand that as you give someone else more permanent and lasting control over your child, you lose more of your ability to control decisions that affect your child. This means that as you give your child a more permanent home with someone else, you also give up some of your rights as a parent.

This section explains ways that you can set up care for your child while you are incarcerated. If you have someone taking care of your child, the information in this sections will help you ensure that the arrangements are secure. If you do not have someone set up to take care of your child, it will help you set up a new care arrangement.*

** Everything in this section may not apply to you. If your child is in the care of his or her other parent, an appointed legal guardian, or the Department of Children and Families (DCF), your options may be limited.*

Throughout this Manual, we will call the person taking care of your child the "caregiver."

Custody Arrangements

Type of Custody (No DCF involvement)	Description	Pros	Cons	Good choice if...
Informal Arrangements	<ul style="list-style-type: none"> No legal arrangements Child living with friend or family 	<ul style="list-style-type: none"> Parent retains all rights Parent can take back child at any time No court involvement or supervision 	<ul style="list-style-type: none"> Caregiver has no legal rights Caregiver can't get medical/dental care for child or enroll in school The arrangement can be disrupted by family members or state involvement 	<ul style="list-style-type: none"> Caregiver and parents are in agreement Caregiver is not a close relative of the child Term of incarceration is brief Caregiver does not anticipate needing assistance for care of child
Informal Arrangement with a Statement of Guardianship (SOG)	<ul style="list-style-type: none"> Child living with friend or family SOG document authorizes caregiver to act as parent/guardian in some situations 	<ul style="list-style-type: none"> Parent retains all rights Parent can revoke SOG at any time No court involvement or supervision Informal, but strengthened 	<ul style="list-style-type: none"> Caregiver has only limited authority Caregiver authority may be challenged Caregiver may not be able to get benefits for child 	<ul style="list-style-type: none"> Caregiver and parents are in agreement Caregiver could manage without some public benefits for care of child
Temporary Custody for Relative Caregivers	<ul style="list-style-type: none"> Court ordered temporary custody for relative caregivers 	<ul style="list-style-type: none"> Caregiver has court ordered authority to act as child's guardian Parental rights are not terminated Parent may petition for termination of order at any time Creates stable arrangement for child and security for caregiver 	<ul style="list-style-type: none"> If parent objects, the court may have to find that the parent abused, abandoned or neglected child, which can be used in later proceedings. Only available to certain relatives 	<ul style="list-style-type: none"> Caregiver and parent are in agreement Caregiver is a close relative Caregiver wants to secure Medicaid, cash assistance, food stamps, or other benefits for child
Formal Guardianship	<ul style="list-style-type: none"> Court ordered custody for a relative or non-relative caregiver Guardian must make annual reports to the court The court may terminate the guardianship at any time if the guardian fails to meet the standards or requirements 	<ul style="list-style-type: none"> Strongest form of custody short of adoption A guardian need not be related to the child Other family members cannot interfere with the arrangement Creates stability for the child and the caregiver Parental rights are not terminated 	<ul style="list-style-type: none"> Significant burdens placed on the guardian by the court The court has the only authority to terminate the guardianship It can be difficult to end when a parent is released Parental rights are significantly impacted 	<ul style="list-style-type: none"> Caregiver wants long-term commitment and ultimate authority to make decisions Caregiver is not a relative Parent wants child in a stable, long-term arrangement that can not be upset by others
Adoption	<ul style="list-style-type: none"> Permanent shift in legal custody and legal relationships Establishes the caregiver as the legal parent of the child Terminates the biological parent's rights 	<ul style="list-style-type: none"> Creates a permanent, stable family situation for the child Gives adoptive family all rights related to the child Relieves any ongoing child support obligations that are accruing against the parents 	<ul style="list-style-type: none"> Parent becomes a stranger to the child in the eyes of the law Parent no longer has any rights in relation to the child 	<ul style="list-style-type: none"> Parent is incarcerated for extremely long-term sentence and does not want to pursue a relationship with the child A friend or relative wishes to adopt the child

Informal Arrangements

If you have a trusted relative or friend who can care for your child while you are incarcerated, your child may be able to live there without any formal legal arrangements. If the Department of Children and Families (DCF) has been involved with your family, you may be required to make more formal arrangements.

Without any formal arrangement, it is possible for a child to live with any responsible caregiver for some time. Issues could arise, however, if your child's caregiver has to sign a permission slip for school, authorize medical care, or generally make decisions that require a parent or guardian to sign anything.

Your child **may** be able to get medical care if they are in an informal arrangement. If your child is with a stepparent, grandparent, adult sibling, or adult aunt or uncle, Florida law provides that they may consent to medical care for your child. Without other arrangements, such as a Statement of Guardianship, even if your child's caregiver is a close relative, he or she may encounter problems accessing essential services for your child, such as school registration. In many cases, medical providers may refuse to treat your child if there is no legal document giving the caregiver permission to consent to treatment.

If you would like to maintain an informal arrangement, but give your child's caregiver a way to show that you have given them permission to care for your child, you can create a Statement of Guardianship, discussed below.

Access to Public Benefits

Certain benefits may be available to your child such as Temporary Cash Assistance, Medicaid, and Food Stamps. In some cases, your child's caregiver may apply for these benefits on behalf of your child. You should review the section on Public Benefits later in this Manual for more information on what benefits may be available to your child.

Because benefit programs are administered through the state, and eligibility is determined by the Department of Children and Families, you and your child's caregiver should understand that application for benefits may give the state the opportunity to ask questions about the custodial arrangement you have made for your child's care. If the state becomes involved with your child's caregiver, it may lead to an investigation of the home in which your child is living. You and your child's caregiver may have to defend the reasons why you have things set up as you did. Additionally, participation in some benefits programs requires that the child's caregiver cooperate with the state in establishing paternity and seeking child support. You should review the section on Public Benefits for more information on how this could impact your family.

A Statement of Guardianship is a very powerful document. You are giving the person designated as Guardian a great deal of responsibility. It is essential that you only give this power to someone you completely trust to take good care of your child.

Statement of Guardianship

A Statement of Guardianship is a document that the caregiver may show to schools, doctors, or others, that says that you have given the caregiver permission to care for the child. It shows that you have agreed to give the caregiver the power to make decisions about the child's care, and authorize activities, as a parent would. It basically lets the caregiver stand in as the parent in many situations.

If you would like to strengthen the informal arrangement with your child's caregiver without involving the court system, you can sign a Statement of Guardianship that outlines the parental rights that you are giving to the caregiver while you are incarcerated.

A Statement of Guardianship is a document that should list:

- the name and date of birth of the child,
- the name, date of birth, and residence of the Guardian,
- the parental authority you are giving the Guardian, and
- your right to revoke these powers and regain custody of your child.

On the pages following the information about Statements of Guardianship, you can find sample forms that can help you set up care for your child using this tool.

A Statement of Guardianship does not create a "legal guardianship" or "legal custody," which are more permanent arrangements set up through the courts. These arrangements are discussed later in this Manual, in the sections on Temporary Legal Custody by a Relative Caregiver, and Formal Guardianship.

- If you are married or have joint custody of your child with another parent, you will need to have both parents agree to allow the caregiver to care for the child and sign this agreement before notaries.
- If you have more than one child, you will need to fill out separate Statement of Guardianship forms for each child.

It is in your child's best interest to give a Statement of Guardianship only to someone you completely trust to care for your child for as long as possible. You should avoid creating multiple Statements of Guardianship as it becomes confusing for your child, caregivers, and public entities that work with your child. If your child has many changing guardians, the state may begin to ask questions about the arrangements, and interfere with your child's life.

Revoking a Statement of Guardianship

A **Statement of Guardianship will stay in effect until you want it to end.** This means that whoever you have given the authority to make decisions for your child will have that power until you revoke it. To revoke it, you must explicitly say, in writing, that they do not have the authority you gave them.

To legally revoke the Statement of Guardianship, you should send a letter to the designated guardian stating that you revoke the Statement of Guardianship. You should include a definite statement revoking their authority. Such a letter might look like this:

Even after your release from prison or jail, a Statement of Guardianship will stay in effect until you revoke it. Even if you have your children living with you after your release, you should legally revoke the Statement of Guardianship to protect your legal rights.

DATE

Dear *{full name of Guardian}*,

Effective immediately, I revoke the Statement of Guardianship that gave you authorization to act as legal guardian to my child *{name of child}*, date of birth *{date of birth of child}*.

You should not hold yourself out as Guardian to my child, and should inform anyone who may have relied on the Statement of Guardianship that it is no longer in effect.

**Sincerely,
*{your name}***

You should be sure to date the letter, and keep a copy of the letter for your records. If you have more than one child staying with the same person, you should be sure to name each child in the letter, or write a letter for each child. If you wish, you may have the letter notarized. If you are no longer incarcerated, you should send the letter certified mail and keep a copy with the mailing record.

If you are signing a new Statement of Guardianship for another person, you should be sure that the new guardian also has a copy of the letter revoking the first Statement of Guardianship.

What is a Notary?

A notary is someone who is legally appointed to witness signatures and administer oaths. Often, prisons and jails have staff members who are notaries because many legal documents require a notary witness a signature or administer an oath. If there is not a notary on staff, you should be given access to a notary when you need to sign legal documents. You should be sure that a document that you want to have notarized is ready to be mailed, as institutional rules may prohibit you from keeping a notarized copy for your records.

A Note on Power of Attorney

You may have heard of “Power of Attorney.” A Power of Attorney is a document that gives another person certain powers to act on your behalf, and does not have anything to do with being an attorney. It can allow the person you designate to act on your behalf in many areas, including selling your house or car, signing a lease on your behalf, or entering into contracts on your behalf. Some Power of Attorney documents can give someone the power to make medical decisions for you if you are unable to make them yourself. These documents can be very limited or very broad. You should only sign one if you fully understand what your rights and responsibilities are. When someone has a broad Power of Attorney and signs for you, you are responsible for whatever they have signed.

A Statement of Guardianship is similar to a Power of Attorney in that it grants authority to act as a guardian on your behalf, sign permissions, and make decisions about the care of your child. A Statement of Guardianship is limited to authorizing the actions needed to care for your child. A guardian does not have any additional powers.

Power of Attorney can be an extremely powerful tool. You should try to consult with an attorney before attempting to create a Power of Attorney, or before you sign a Power of Attorney.

If you would like more information on what Power of Attorney is, how it works, and what its uses and limitations are, you can request a pamphlet from the Florida Bar by sending a legal self-addressed stamped envelope with your request to: Consumer Pamphlets, The Florida Bar, 651 E. Jefferson Street, Tallahassee, FL 32399-2300.

If you are incarcerated, you should fill out an Inmate Request to sign documents in front of a notary, who must sign and seal on the form. You can get access to a notary by filling out an Inmate Request.

STATEMENT OF GUARDIANSHIP

STATE OF FLORIDA
COUNTY OF _____

I / We, _____ the undersigned, do hereby make, constitute,
and appoint, _____, DOB(s) _____,
resident(s) of _____, as the legal guardian(s) of the person of
my child, _____, DOB _____
until such time as I request the return of full custody to me.

Said person shall have all powers normally bestowed on a legal guardian of the person,
including, among other powers, the right to allow or deny medical treatments, the right to obtain
health and life insurance, the right to arrange for schooling, and the right to feed, clothe, and
otherwise determine my child's daily care. A copy of this Statement of Guardianship shall have
the same force and effect as the original.

Signature of Parent 1 Printed Name of Parent 1
Signature of Parent 2 Printed Name of Parent 2
Signature of Witness 1 Signature of Witness 2
Printed Name of Witness 1 Printed Name of Witness 2
Address of Witness 1 Address of Witness 2

On this ____ day of _____, 200__, personally appeared _____
being duly sworn, acknowledged before me that they executed the foregoing Statement of Guardianship for the purposes therein
expressed.

Notary Public, State of Florida
Seal:
Personally Known: _____
Produced Identification: _____
Type of I.D. Produced: _____
Commission Expires: _____

temporary legal custody by a relative caregiver

In this section you will find a general overview of Temporary Legal Custody, including who is eligible, and some of the general things you should know about the process. Next is a detailed description of how the process works, from beginning to end. There are sample forms at the end of the Section to help you get an idea of what the court documents look like.

Temporary Legal Custody

If your child's caregiver is a close relative and you would like a more formal arrangement of guardianship that is granted by the court and will last for the entire time you are in prison, you can consent to temporary custody to your child's caregiver. This is called **Temporary Legal Custody** and is ordered by a court.

Some of the questions that will be covered in this section are:

- Can I give custody to a relative if there is a custody dispute with my child's other parent?
- Can I change my mind about custody if the court gives Temporary Legal Custody to a relative caregiver?
- How do I get my custody of my child back?
- What if I am asked to waive my right to notice? What does that mean?
- Who can get Temporary Legal Custody of my child?
- Will the courts be involved? How much?
- How do we know what forms we need to file?
- What information do I need to give the caregiver who is filing for Temporary Legal Custody?
- What if I don't want to consent to Temporary Legal Custody? What can I do? How can it affect me later?
- Do I have the right to a lawyer in a Temporary Legal Custody proceeding?

Temporary Legal Custody is only available when the legal custody of a child is not in dispute or under the supervision of a court. This means that Temporary Legal Custody is not available if children are:

- involved in an ongoing custody dispute related to a divorce,
- involved in dependency proceedings, or
- under any court monitoring.

The Temporary Legal Custody arrangement works best when you and the child's other parent, if involved but unable to care for the child, agree on a caregiver. It also works best when the caregiver has agreed to care for your child for the duration of your incarceration.

Temporary Legal Custody can be a good alternative if you believe the relative is a responsible and trustworthy caregiver and agree to the arrangement. If you agree to the arrangement, it can be very easy to regain custody of your child when you are released.

HOWEVER:

If you oppose the arrangement, then the Court will have to determine if you have abused, abandoned, or neglected your child. When you are incarcerated, this can mean that the judge will make a determination as to whether you have made sufficient arrangements for the care of your child. If the judge finds that you have not made sufficient arrangements for the care of your child, it can have a negative impact on your ability to get your child back when you are released.

A caregiver can file for Temporary Legal Custody without notifying you in advance.

If a caregiver files for Temporary Legal Custody without your knowledge, you will receive notice and have an opportunity to respond. This means that the court must tell you that the caregiver wants custody, give you a copy of the Petition, and give you a chance to tell the court whether or not you agree to the arrangement. In order to file for Temporary Legal Custody, the relative must have your consent, or must have been caring for your child for more than six months.

The court should notify you of all deadlines. It is extremely important that you meet all court deadlines, because failing to meet a deadline for a response will count as “consent by default.” **This means that if you do not respond, it is the same as you agreeing to put your child in the Temporary Legal Custody of the person asking to be the caregiver.** It also means that if the Petition contains negative statements about your fitness as a parent and you don’t respond, you are effectively admitting that these statements are true.

If you do not respond and consent by **default**, your child’s custody will be determined without your input. It also means that your failure to respond may be used in later proceedings to demonstrate that you were not involved with your child’s care. If the court is considering whether to allow you to regain custody of your child, or if the court is considering whether to terminate your parental rights, the failure to respond could be very bad for you and could impact your ability to regain custody of your child in a negative way.

How does a relative get Temporary Legal Custody of my child?

Petition for Temporary Legal Custody

The first step in the process is filing a “Petition for Temporary Legal Custody” in the Circuit Court where the child resides, or the circuit where a family law case involving the child is pending.

Who can petition for Temporary Legal Custody?
Relatives* over 18 who are <u>the child's</u>: <ul style="list-style-type: none">• Brothers and Sisters• Grandparents• Aunts and Uncles• First Cousins• Great Aunts and Uncles• Great Grandparents• Great-Great Grandparents

*Relatives may be related through stepparents, such as adult stepbrothers or stepsisters.

- The caregiver **must be an adult relative** “within the third degree by blood or marriage” – see above for which relatives qualify.
- The caregiver may be a stepparent **only if** the stepparent is currently married to the parent and there are no ongoing or pending court cases (civil, criminal, or family law) involving the stepparent and parent.
- The caregiver must have either:
 - the notarized consent of the legal parents, or
 - been caring full-time for the child in the role of substitute parent.

The Petition for Temporary Custody must be filed by a caregiver who meets the requirements above. The Petition must be “**verified**” by the caregiver/petitioner. **Verified** means that it must contain truthful information and be sworn before a notary. An example of what a Petition might look like follows this section for your reference.

If the Petition for Temporary Legal Custody is filed **without parental consent**, the caregiver may try to demonstrate that a parent is **unfit**. It is very important that if these claims are made in a Petition for Temporary Legal Custody, you respond and tell the court why you are not an unfit parent. Even if you end up consenting to Temporary Legal Custody, **you do not want to be found unfit by the court because it can affect your rights in later proceedings**.

Legal Term: Unfit Parent

If a Court has determined that you have abused, abandoned, or neglected your child, as defined in Chapter 39 of the Florida Statutes, you may have been found to be an **unfit parent**. If you have been found to be unfit, you may face additional obstacles regaining custody of your child and should contact your local legal aid provider for assistance.

The Petition may be filed on behalf of multiple children who share the same parents, and **must** contain the following information:

1. Name, date of birth, and current address of the child(ren)
2. Names and current address(es) of the child's parents
3. Names and current addresses of the persons with whom the child has lived during the past 5 years
4. All places where the child has lived in the past 5 years
5. Information concerning any custody proceeding in this state or any other state related to the child
6. Residence and any post office address of Petitioner
7. Petitioner's relationship to the child
8. Consent of the child's parents, or the specific acts or omissions of the parents which demonstrate that the parents are **unfit**, or that they have abused, abandoned or neglected the child
9. Any temporary or permanent orders for child support, the court entering the order and the case number
10. Any temporary or permanent order for protection entered on behalf of or against either parent, the petitioner, or the child; the court entering the order; and the case number
11. That it is in the best interest of the child for the petitioner to have custody of the child
12. A statement of the period of time the petitioner is requesting temporary custody, including a statement of reasons supporting that request

REMEMBER:

Most courts have specific forms that they require, and special instructions for how many copies of forms must be filed, how parents may give consent, and how notice is to be **served** on any parent who has not submitted documentation of their consent. Some courts require that a Petition be filed before parental consent is filed. You need to be sure that the caregiver is in touch with you and the Clerk of Courts about all the special forms and requirements for your local court.

As a parent, you have the right to be told that a caregiver has filed for Temporary Legal Custody of your child or children. You must have a chance to respond, and either consent to the Temporary Legal Custody or oppose it. You do not have a right to appointed counsel for a hearing on Temporary Legal Custody.

If you do not want the petitioner to be given Temporary Legal Custody

If you are notified that someone has filed for Temporary Legal Custody of your child and you oppose the arrangement, you should notify the Court in writing immediately and request to appear in person or by telephone so that you can speak to the judge at the hearing. You can use the forms in this Manual as a guide for submitting these requests. You should also submit an Inmate Request to your Classification Officer to allow you to appear at the hearing by phone or in person.

If you oppose the Petition, then the Court will determine if you are unfit. When you are incarcerated, this means that the judge will make a determination as to whether you have made sufficient arrangements for the care of your child. If the judge finds that you have not made sufficient arrangements, you may be found to be unfit.

If you agree to give the caregiver Temporary Legal Custody

If you submit your consent, or if you do not object, the court should award Temporary Legal Custody to the caregiver that filed the petition. The only thing that will prevent the court from granting the petition is if the Temporary Custody would not be in the best interest of the child.

What is included in a Temporary Legal Custody Order?

The written decision of the judge is called an **Order**. An Order that grants Temporary Legal Custody to a relative who is caring for your child legally gives the caregiver custody rights. This document can be provided to prove the caregiver's relationship to the child, and show that the caregiver has the authority to make decisions about the child.

The Order may grant visitation rights to child's parent(s), and may redirect existing child support obligations to the temporary caregiver for the care of the child. The order can only include new or additional support orders in specific circumstances when the parent(s) have a current ability to pay. If you owe child support, you should review the Child Support section of this Manual for more information on your rights and responsibilities.

WAIVER OF NOTICE

A waiver means that you are voluntarily giving up some right that you have. When you are asked to sign ANY "waiver," you should be sure that you are absolutely clear about what you are signing. In many cases, you will be asked to sign a "waiver of notice." This means that you are giving up your right to be notified about court hearings and decisions.

Court documents that you sign granting your consent will often include a waiver of notice about the hearings, and may even be called "Parental Consent and Waiver of Notice." If you are consenting to Temporary Legal Custody, you may wish to allow the proceedings to happen without being notified. This type of waiver is common in a Temporary Legal Custody proceeding. An example of this kind of document in a Temporary Legal Custody case follows the forms in this section.

In Temporary Legal Custody cases **ONLY**, a waiver of notice will **NOT** affect your right to end the Temporary Custody arrangement. **The waiver you sign should clearly state that the arrangement is temporary, and that you have the right to petition at any time for the return of full custody.**

If you are asked to sign ANY waiver and you are not able to understand exactly what it means, you should seek assistance before giving up your rights.

A Reminder about Sample Forms

The instructions and selected sample documents in this Manual are only a general guide to help you get a sense of what these documents might look like.

Most courts have special requirements, such as specific forms, that are required when your child's caregiver applies for Temporary Legal Custody. **It is very important to follow the requirements of the court in which you are filing, including any specific forms that the court provides.** You or the child's caregiver should contact the pro se, or self-help, family law clerk for the county where the caregiver or child lives before filing for Temporary Legal Custody. The Clerk or local legal aid providers can help your child's caregiver understand the correct procedures. There may be required fees. The Clerk should be able to tell you or the caregiver what steps must be taken to apply for special consideration if you are unable to afford the fees.

For contact information for self-help or family law assistance clerks in your circuit and/or county, please see Appendix C.

If you have signed a waiver of notice, you may not receive a copy of the Order from the court. You should request that your child's caregiver send you a copy of the Order for your records. You should be able to request a copy of the Order from the court clerk, but you may have to pay significant fees to receive a copy this way. See the sidenote titled WAIVER OF NOTICE on previous page.

How do I get custody of my child back?

With Temporary Legal Custody, the caregiver will have a court order that gives them the legal right to do all things necessary to care for your child for a temporary period. Anyone, including you, that wants to change this arrangement before it expires at a set time must petition the court. Although you may have to petition the court to return legal custody to you after your release, unless there is good cause shown, the court will grant your petition. **As a parent, you retain the right to petition the court at any time to return full custody and control to you.**

It is important to remember that this is a Temporary arrangement. Either parent may ask the court to terminate or modify the order that gives Temporary Legal Custody to the caregiver. This means that *at any time*, either parent of the child may submit a Petition to the court that asks the court to end the Temporary Custody and return full custody to the parent. Parents can also petition the court to change the terms of the arrangement. Under Florida law, if you have not been determined to be an **unfit parent**, when you submit a petition to terminate Temporary Legal Custody, the court WILL terminate the order and return custody to the parent. The court will also terminate the Order and return custody to the parent if the parent and the legal caregiver agree and consent, or if the Order expires after the date that was agreed upon when the Petition was filed.

temporary legal custody by a relative caregiver

Dates (From – To)	Name	Current Address

9. During the past five (5) years, the child(ren) have lived in the following **places**:

10. The minor child(ren) *{√ check one}* ____ **has** ____ **has not** been the subject of litigation in a divorce, paternity, child support, separate maintenance, delinquency, dependency, or other legal proceeding, **in this state or in any other state**, in the past or at the present time, or had an order previously entered regarding custody of the minor child(ren).

If the child(ren) has/have been the subject of a prior custody or support proceeding, the following is a summary of all actions:

<u>COURT</u>	<u>CASE NUMBER</u>	<u>SUMMARY</u>

11. The parent(s), guardian(s), or other legal custodian(s) of the minor child(ren) *{√ check one}* ____ **have** ____ **have not** consented IN WRITING to this Petition.

A. Written consent *{√ check one}* ____ **is** ____ **is not** attached to this Petition.

B. If consent has not been obtained, the circumstances of the child(ren) current living situation with the Petitioner is as follows: _____

C. If Petitioner believes that the parents are unfit, pursuant to the definition set forth in Florida Statutes Chapter 39, list the reasons for such a finding: _____

12. The current residence and mailing address of the Petitioner are: _____

13. The Petitioner believes it is in the best interest of the minor child(ren) that Petitioner be awarded temporary legal custody because: *{list the reason Petitioner is requesting custody, such as need to enroll in school, provide medical care consent, generally care for the child.}*

14. The Petitioner is requesting temporary legal custody of the minor child(ren) for the following period of time: _____

The reasons for the request of this period of time are: _____

15. The parent(s) {*check one*} ____ **should** ____ **should not** be granted reasonable visitation with the child(ren). Petitioner requests the following restrictions to visitation: _____

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 of Petitioner

Address

Telephone number

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on this _____ day of _____, 20__.

Notary Public – State of Florida

SEAL

Type of identification produced _____

Type of identification produced _____

temporary legal custody by a relative caregiver

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

CASE NO. _____
DIVISION _____

IN THE INTEREST OF:

Minor Child

DOB: _____

PARENTAL CONSENT AND WAIVER OF HEARING FOR TEMPORARY LEGAL CUSTODY

The undersigned, being duly sworn, hereby states:

1. My name is _____.
2. My current address is: _____
_____.
3. I am the () mother () father of the above-named child.
4. I hereby give my consent for _____ to have temporary legal custody of my child, named above.
5. I understand that this consent may be filed with the court record in _____ County, FL.
6. I understand that at any time after the Court enters an order awarding temporary legal custody of my child to _____, I may request the Court terminate the Order and return legal custody to me.
7. I understand by giving consent, the Court will authorize _____ to take all necessary steps to care for my child, including, but not limited to the following:
 - a. Authorize and consent to all reasonable and necessary medical and dental care, including non-emergency surgery and psychiatric care;
 - b. Secure copies of my child's records held by third parties that are necessary to the care of the child, including, but not limited to, medical, dental, and psychiatric records, birth certificates, and educational records;
 - c. Enroll my child in school and grant or withhold consent for the child to be tested or placed in special school programs, including exceptional education;
 - d. Do all other things necessary for the care of the child.
8. I waive Notice of Hearing as well as all future notices in connection with the Petition for Temporary Legal Custody, as filed. In so doing, I understand that I am also waiving my right to appear and be heard at the final hearing on the matter of Temporary Legal Custody.

Parent's signature

Printed name

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on this _____ day of _____, 20__.

Notary Public – State of Florida

SEAL

Personally known

Produced identification
Type of identification produced _____

formal guardianship

If you are considering this type of arrangement for your child's caregiver, you should consult with an attorney.

Some of the questions you may have about Formal Guardianships:

- Can a family friend become a Guardian?
- What rights do I give up?
- How do I get my rights back?
- What does the Guardian have to do?
- How involved is the court?
- How can I get more information?

It is difficult to set up a formal guardianship and very hard to end it. A formal guardianship is a way for parents to give custody of their child to someone who is not a relative that qualifies under the Temporary Legal Custody guidelines. It is also a more formal arrangement that you could set up for a relative caregiver. Through court action, a parent gives up almost all of their parental rights to the guardian. The court appoints the guardian, who has total authority over the child. The court keeps an eye on the guardian, and requires that the guardian write reports every year. If the guardian does something that the court does not like, or if the guardian does not file a report, the court can give control of the child to DCF. You have no power to end a guardianship, even after you are released from prison.

adoption

Adoption is the legal procedure where a court makes a child a part of a family other than that of his or her birth parents. **Birth parents lose all of their legal parental rights in almost all adoption actions.**

In an adoption, your parental rights must be terminated, which means that **you will have no legal right to see your child, to know where your child is, or have any contact with your child.** Your parental rights **MUST** be terminated before adoption proceedings can begin. Once an adoption is finalized, new birth certificates listing the adoptive parents as the natural parents of your child will be issued, and your child will, in every way, become part of another family.

If you are considering adoption, **YOU SHOULD HAVE YOUR OWN ATTORNEY.** Adoptions are complicated legal matters, and each situation is unique. You should have an attorney who represents you and your interests. Attorneys that represent adoptive parents or agencies do not represent your interests, and you should get independent legal advice before you make any decisions. You can contact the Florida Bar Referral Service, Florida Institutional Legal Services, or a legal aid provider for assistance if you are considering allowing your child to be adopted. Contact information is listed in Appendix D.

An adoption petition can not be filed until after a child is born. A new mother can not consent to surrender her parental rights until she is cleared for discharge from the hospital, or 48 hours after the birth, whichever is earlier. **If you are being approached about adoption while you are pregnant in prison or jail, you should contact Florida Institutional Legal Services or an attorney who can independently advise you of your rights.**

You have rights as a birth parent that are discussed in the Termination of Parental Rights section of this Manual. You should be sure you know your rights, and that your rights are being respected by any adoption agency or prospective adoptive family or their lawyer.

This section addresses adoption generally. If you are considering adoption, it is very important to get independent legal advice. You lose your parental rights if your child is adopted.

The Florida Bar produces a pamphlet about adoption in Florida. You can request a pamphlet by enclosing a legal-sized, self-addressed stamped envelope with your request to: Consumer Pamphlets, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300.

pregnancy in jail or prison

This section contains information about prenatal care, making arrangements for your child after birth, what you might expect in the hospital, what you might experience after giving birth, and, if you want, accessing abortion services while incarcerated.

If you are pregnant while you are in jail or prison, you have many of the same rights that you would have if you were not incarcerated. However, some of the rights you have are different. You will also have to cope with many difficult decisions and other issues. You should know and understand your rights.

Know Your Rights: Pregnancy-Related Health Care in Prison or Jail

Some of the questions that will be answered in this section are:

- What are my rights to pregnancy-related health care in prison or jail?
- What if someone tells me I have to get an abortion while I am in prison or jail?
- What if I want to get an abortion while I am in jail or prison or jail?
- What if I think my rights have been violated?

The prison or jail may be violating your rights if:

1. You are not receiving prenatal care or other medical care needed during, or after, your pregnancy.
2. You are being pressured or forced to have an abortion you do *not* want.
3. You ask for an abortion but your request is ignored, or you are told you cannot have an abortion.

If you are pregnant, being in prison or jail does not mean you lose your right to make decisions about your pregnancy. You have a constitutional right to medical care for pregnancy, childbirth, or for abortion.

If any of these things happens to you, you should:

1. Keep a record of everything that happens. Keep a list of the people you talked with. Be sure to write down what they told you and the dates and times you spoke with them.
2. Put your request for prenatal care, an abortion, or any other care related to your pregnancy in writing. File your written request and keep a copy for yourself.
3. You should also file a grievance (an official complaint). If your grievance is denied or rejected, you must file an appeal. **It is very important that you file all appeals that are allowed in your jail or prison's grievance system. It is also very important that you follow all the rules and deadlines of the grievance system.** These rules and deadlines are usually found in your inmate handbook.

If guards or staff will not give you the forms you need, or will not let you file a grievance, or do any thing else that makes it hard for you to file a grievance related to your reproductive rights, you should immediately contact your own lawyer or the Florida Reproductive Freedom Project.

Whatever decision you make about your pregnancy, it is important to see a medical professional as soon as possible. Early prenatal care is very important for your health and for helping you have a healthy baby. If you decide to have an abortion, you should make your request right away. Abortions are very safe, but the costs and risks increase later in pregnancy. Also, the longer you wait, the harder it may be to find a doctor in your area who can provide an abortion.

If you already filed a written request or complaint, but are still having problems receiving the pregnancy care you need, you should contact your lawyer, or the Florida Reproductive Freedom Project at **786-363-2709**, or toll-free at **877-352-7284**, and by mail at:

**Florida Reproductive Freedom Project
ACLU Foundation of Florida
4500 Biscayne Blvd. Ste 340
Miami, FL 33137**

Prenatal Care – During Pregnancy

Some of the questions that may be answered in this section are:

- What kind of prenatal care can I expect in prison or jail?
- What kind of care should I get while I am incarcerated?
- Do I get special vitamins or diet while I am pregnant?
- What if I am HIV positive?

You have a right to regular prenatal care during the course of your pregnancy. Generally, this means that you should be seen by an obstetrician every month, until later in your pregnancy, when visits may become more frequent. In pregnancies without complications, it is common for a prenatal visit to consist of listening to the fetal heartbeat, measuring your stomach, and talking with the doctor about any concerns you may have. Some visits will be more involved, and you may have sonograms, blood work, pelvic exams, or other tests or procedures that your doctor determines are necessary for your care and the care of your baby.

You should be given prenatal vitamins and a special diet while you are pregnant. The special diet may only mean that you get more milk. You may also be given a pass preventing you from working certain jobs, or allowing you time to rest during the day. You should speak with your doctor about what you need during your pregnancy, and submit Inmate Requests to create a record of your requests and the responses you receive.

Special Considerations during your Pregnancy:

- During your pregnancy, you should not have leg shackles or be shackled behind your back, unless there are clear security reasons.
- You should be offered HIV and other sexually transmitted disease testing.
- If you are HIV positive, you should request and be evaluated for antiretroviral therapy during pregnancy. HIV treatment during pregnancy may help prevent transmission of HIV to your baby.
- You can request mental health counseling at any time.
- You will most likely be housed at Lowell Correctional Institution in Ocala, at least for the duration of your pregnancy.

This Manual does not contain medical advice.

The information in this or any section of this Manual does not constitute medical advice. You should speak with a medical professional about what prenatal care you should expect to receive based on your particular health and pregnancy. While this Manual gives a general overview of what kind of care you might expect, differences in medical treatment do not necessarily mean that your legal rights have been violated. You and your medical provider should determine what care you need and should expect based on your individual case.

If you feel that you are not getting adequate prenatal care, you should submit Inmate Requests for the care you would like to receive. You should retain all records of these requests, as well as any grievances or appeals you may file.

You should be sure that the caregiver understands that he or she will be ultimately responsible for all hospital fees that are for the infant, as the infant is never under the custody of the prison or jail. The costs of hospitalization of the infant may be covered, or partially covered, by Medicaid if the caregiver applies in a timely manner and your child qualifies for coverage. **You should review the section of this Manual on Public Benefits for more information.**

Setting up Care for your Child in Advance

Some of the questions that may be answered in this section are:

- What do I have to do to set up care for my baby?
- Can my baby come back to the jail or prison with me?
- Who pays for the hospital fees for the baby?
- Who can pick up my baby from the hospital?
- Do I have to let my baby be adopted if I am incarcerated and can't care for my child myself?

If you are pregnant and incarcerated, you will not be able to keep your baby with you after you leave the hospital when he or she is born. This means that you will have to make sure that you have set up a caregiver for your child in advance, and that the person is ready to come and pick the baby up at the hospital when he or she is born.

You should work with your Classification Officer and DCF staff to make sure that any requirements are met. You will probably have to fill out a form called a "Child Placement Plan for Newborn of Inmate." You should be sure that the arrangements are in place and approved well before your due date. You can submit Inmate Requests that document your attempts to set up appropriate care for your child, and you should keep any responses or other paperwork you receive.

While you may be able to set up some formal arrangements for your child's care before you give birth, many arrangements can only be made after the child is born. For example, if you would like to set up Temporary Legal Custody with a close relative, or sign a Statement of Guardianship authorizing your child's caregiver to make decisions for the child, you can only do this after the child is born. You should discuss any plans you have with the caregiver you have chosen, as well as your Classification Officer and any DCF representative that may talk with you. The more plans you have in place, the more likely it is that you will be able to make the arrangements you want for your child.

No one can force you to consent to allow your child to be adopted.

You should read the sections of this Manual on Adoption and Termination of Parental Rights to be sure that you understand what it means if you consent to an adoption. You should carefully consider all of your options before signing anything.

While the information in this section is an overview of what you may expect based upon current policies, the failure of jails or prisons to adhere to these policies does not **necessarily** mean that your constitutional rights have been violated.

Giving Birth

You should follow whatever instructions medical staff give you about how to access assistance when you go into labor. In most cases, when you go into labor you will be transported to a hospital to give birth.

If you have any desires about how you would like labor and delivery to go, you should write them out clearly in a “birth plan.” You can give copies of your birth plan to corrections staff, medical staff at the jail or prison, as well as the medical staff at the hospital. **Even when women are not incarcerated and they have birth plans, things often do not happen as they want.**

It is a good idea, however, to ask for what you want so that you might be able to get some of it. Things that people often include in a birth plan are:

- Requests to avoid interventions like using pitocin or breaking the bag of waters
- Request that anesthesia, including drugs or an epidural, not be offered unless specifically requested
- Request to not have an episiotomy
- Request to donate the umbilical cord blood
- Request to be allowed skin to skin contact with the baby as soon as possible after delivery

You do not have to have a birth plan, and you should be prepared for things to go differently than you expect. Remember, you are free to make your wishes known.

You should be given the opportunity to hold and breastfeed your child while you are in the hospital. You should be treated respectfully during labor and delivery. Corrections staff may be present throughout delivery. You will likely be shackled during transport, and after delivery. You should not be shackled during labor at the hospital. If you are shackled during delivery at the hospital, you should contact Florida Institutional Legal Services or the ACLU.

Caring for Yourself After Giving Birth

After you have given birth, you will probably experience a very wide range of emotional and physical changes. You should be sure to follow all medical instructions that are given to you, and care for your body following delivery. You will be discharged from the hospital soon after delivery, and will find yourself doing a lot of self-care while incarcerated. If you had complications, such as excessive bleeding or a cesarean section, you may have to remain in the hospital or infirmary for a few days. You will also have more after-care instructions to follow. You should be in touch with medical about any needs you have.

It is extremely common for women to get depressed after they have given birth. This can last for weeks or months after delivery, and it may be worse because you are separated from your baby. **Post-partum depression is very common and it can be a very serious condition.** You should request mental health care if you are feeling depressed, especially if you are feeling very depressed or have thoughts of harming yourself. You have a right to mental health care to help you through this very difficult time.

dependency

A child is considered dependent when, after court proceedings, a judge decides that the child's parents are unable to care for him or her properly, and the state takes over responsibility for the child's well-being.

A child who has been determined by a judge to be dependent has a special relationship with the state. Usually, the child's parents are primarily responsible for the child's well-being. When the state decides that the parents are unable to care properly for their child, however, the child may be declared **dependent**, meaning that the state has assumed primary responsibility for the child's wellbeing. You do not lose your parental rights simply because your child is dependent, and dependency does not have to be permanent. A dependent child will not always be dependent if the state determines that the child is in a safe environment.

Dependency also does not mean that a child must be removed from his or her home. It is possible for dependent children to live with their parents or with other family members, and many do. While your child is dependent, however, the state will be involved in your child's care through monitoring and evaluation.

This section will outline the court procedures that may happen if the state becomes involved in your child's care. If this happens while you are incarcerated, you have a right to have an attorney represent you and a right to be at all the hearings related to your child, even if your child was taken from a caregiver and not directly from you.

If you are opposing state involvement with your child, and want to be able to present evidence to the court or talk to the judge directly about your child's case, **you should NOT waive your right to appear at any hearing.**

Through your attorney, you can submit a motion to the court requesting to appear at every hearing related to these proceedings in person or by telephone even if you are in prison or in jail. There are sample forms for these motions in the general forms section of the Manual.

This section includes a list of all the hearings that you may face while the state is determining that your child is dependent, and while your child is in dependency proceedings. It is very important that you talk with your lawyer about all of these matters, and that you do not waive your right to counsel or notice of the proceedings at any point in the process.

What is a Motion?

A motion is a request to the judge that is in a special legal format. In most cases, neither side is allowed to talk to the judge without the other party there. You are not allowed to simply write a letter to a judge requesting something, because that would be like having a private conversation. You have to “file a motion” with the court, and make sure that the other side gets to see the request. The other side may get a chance to respond before the judge decides whether to grant your request. Because you are incarcerated and can’t just come to the courthouse, either you or your attorney will have to file a motion to request that you be allowed to appear at a hearing in person or by telephone in order to address the court during an official hearing or proceeding.

Your Right to an Attorney in Dependency Proceedings

Under Florida law, the court is required to notify you of **your right to have a lawyer represent you at every stage of dependency proceedings related to your child**. If you cannot afford an attorney, you should tell the court and an attorney will be appointed to represent you. If you have not received anything from the court about your right to an attorney and you cannot afford an attorney, you can submit a request that the court appoint an attorney to represent you. *See Appendix A for a sample form.*

You should understand that your attorney is legally and ethically obligated to represent your interests. You should work to maintain a positive relationship with your attorney because it is extremely unlikely that you will be able to get a different attorney appointed to represent you. You will probably have the same attorney throughout the proceedings, and that attorney is required to advocate for your interests within the bounds of the law. Attorney-client conversations and letters are private and confidential. **You should label all your letters to your lawyer as “legal mail.” You should be honest and open with your attorney about your expectations of them and about what you want the end result to be.**

Even when an attorney does everything possible to advocate for his or her client, the outcome of a case may not be exactly what the client wanted. You should understand that your attorney may not be able to make everything that you want happen.

Remember that **ONLY** your attorney represents your interests. Attorneys for the state, judges, and other advocates are not allowed to give you legal advice. **ONLY** your attorney shares the special attorney-client relationship with you, which means that only your attorney is required to keep everything you discuss confidential, and required to represent your interests.

A. Shelter Hearing

When DCF first takes your child into custody, it must hold a shelter hearing within 24 hours. If you need time to consult with an attorney, the court may grant a continuance, which briefly postpones the hearing. A continuance will only be granted if you have a chance to get an attorney within 24 hours, and the attorney files for the continuance. The time for a shelter hearing cannot be extended beyond 72 hours after DCF intervenes and determines a shelter hearing is required.

Usually, DCF does not remove a child from a home until a determination is made by a judge at a shelter hearing. In emergency situations, DCF can immediately remove a child while waiting for the hearing to take place. According to Florida law, a child taken into DCF custody should not be placed in shelter before the shelter hearing unless there is probable cause to believe:

- The child has been abused, neglected, or abandoned, or is suffering from or is in imminent danger of illness or injury as a result of abuse, neglect, or abandonment;
- The parent or legal custodian of the child has materially violated a condition of placement imposed by the court; or
- The child has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care.

At the shelter hearing the judge will decide whether your child will be held in a shelter. Your child will only be kept in a shelter if one of the three factors listed above applies. In addition, the judge will have to decide that removing your child is necessary, and that no services from DCF could make the home safe. This applies whether the child is being taken from you, or from the home of a caregiver you chose for your child.

You have the right to attend the shelter hearing, and to speak for yourself. If you are in jail or in prison you can request to appear at the shelter hearing in person or by telephone. Sometimes judges will order that you attend in person, but sometimes judges will want you to appear by telephone. Either you or your attorney should file requests for your appearance with the court. Sample forms for these requests can be found in the Forms section at the back of the Manual. Remember, you have the right to an attorney at this and every other dependency hearing. If you can't afford an attorney, the state will appoint one to you for free.

A “shelter” is a placement outside the home with a responsible adult, or in a licensed home or DCF facility. A “shelter hearing” means that the court will hear evidence, and hear from the parent, in order to determine whether the child should not be allowed to stay in the home.

Note: If you receive notice of a shelter hearing, you should make every effort to appear, at least by telephone. You have the right to an attorney at a shelter hearing, and have the right to inform the court of relatives that can care for your child. Although as a parent you have the right to be at a shelter hearing, as a practical matter, if you are incarcerated when it happens, you probably will not be able to be there. You should still try to appear by phone, but if you are not able to get in touch with the court in time, you should begin to prepare for the next steps of the process immediately.

Legal Term:

Adjudicated Dependent

If a judge determines that a child's parents cannot care for him or her, and that the state must take responsibility for the child's well-being, that child has been adjudicated dependent. The decision is made at the adjudicatory hearing

This process happens **very quickly**. You should be sure that your child's caregiver knows to contact you immediately if your child is removed from the caregiver's home.

If your child was taken into custody or removed from the home of his or her caregiver more than 72 hours ago, then the shelter hearing has already happened. You should prepare for an "adjudicatory hearing," which is like a trial before the judge about whether your child should be declared dependent.

B. Adjudicatory Hearing

If the state decides to pursue making your child a "dependent," and taking over the responsibility of caring for them or monitoring their care, as the parent you have the right to a trial before a judge on the accusations made by the state. This is called an **adjudicatory hearing**.

This hearing must happen within thirty days after the state files the **dependency petition**, which is the document that tells the court why your child should become dependent on the state.

You should receive notice of the adjudicatory hearing. This means that the court should send you a copy of anything that is filed in the court about your child. You should also be told about all hearings in advance so that you can request to appear in person or by phone. You still have a right to an attorney, as well as the right to speak to the judge at the hearing. You should talk with your attorney about requesting to appear at the hearing, or appearing by telephone if you cannot be transported.

Your case will be heard by a judge in a formal hearing where all the rules of court apply. You should be sure to talk to your attorney about what you should expect at the hearing and what behavior is appropriate. It is important that you follow the rules of court, and that you tell your attorney if there is anything that you want to be sure the judge hears during the hearing.

Updating Contact Information

It is important to make sure that your child's caregiver, your attorney, DCF, and the Court all have updated contact information for you. If you become incarcerated during a court proceeding, you must notify everyone. If you are transferred to another facility, you should notify everyone of your new address. It is your responsibility to make sure that the notice you receive is not delayed because the court has outdated contact information for you.

It's important to attend the adjudicatory hearing or appear by phone. You should ask your attorney to file requests to appear (samples are provided in the Forms section at the end of the Manual). You should be sure that your Classification Officer knows about the hearings and is working with the court to be sure you can appear as the court orders.

Not appearing at the adjudicatory hearing after you receive notice can be taken as a “**default**,” which means that you will lose your case. It will be as though you admitted everything in the dependency petition is true. You need to make sure that the court knows that you require special arrangements because you are incarcerated well in advance.

If you have more than one child, a single adjudicatory hearing may be held for all of them. The judge will decide whether the allegations made in the dependency petition are true. **The standard of proof is lower than in criminal court, and the state only has to show that it is more likely than not that the allegations are true.**

- If the judge determines that the state has not proven its case, your child will be able to return to the caregiver from whom he or she was taken, or another responsible caregiver that you choose.
- If the judge determines that the state has proven its case, your child will be “**adjudicated dependent**,” which means that you will have to move on to the next step in the process, or a “**disposition hearing**.”

You have the right to be represented by an attorney during every stage of this process, including during the adjudicatory hearing and the disposition hearing. You should talk to your attorney about where you would like your child to live. You should ask questions about whether family members may attend proceedings, get private attorneys, or meet with case managers. You should be sure to discuss how you will appear at the hearing with your attorney, and make sure you are able to appear by telephone or in person.

At the disposition hearing, the court will decide who your child will live with.

You should work with your attorney to participate in the development of your case plan.

C. Disposition Hearing

Once your child has been “**adjudicated dependent**,” the state gets the power to decide where your child will live and monitor his or her care. In some cases, dependent children do live with their parents. However, if you are incarcerated, the court does not have the option of placing your child with you.

At the disposition hearing,:

- The court will ask you whether your child has any relatives capable of caring for him/her before it places your child with a stranger.
- **Be prepared to provide a full list of relatives including names, addresses, phone numbers, and any other useful information you have about them.**
- **If you want a certain relative to care for your child, tell the court and explain why that person is a good choice.**

The Case Plan

At least three days before the disposition hearing, DCF should give you a case plan, sometimes called a “reunification plan.” **The case plan lists what you need to do to end your child’s dependency and regain control over where your child can live, and who is caring for him or her.**

The case plan is a very important document, and you should be sure that you go over everything in it with your attorney and understand everything you must do to complete it.

Case plans can include a wide range of requirements, including:

- stable housing
- financial stability
- regular visits or communication with your children
- completion of drug and/or alcohol evaluation and treatment
- completion of parenting classes
- no additional law violations

You should keep **anything** that shows how you are maintaining a relationship with your child while you are in prison. Some things that can show that you have maintained an ongoing relationship with your child are:

- Copies of letters to your child
- Copies of letters to your child’s caregiver, case manager, or guardian ad litem
- Requests to Chaplain for cards for child
- Receipts for presents ordered for the child
- Copies of any school records that are sent to you
- Letters, drawings, or anything your child sends you

D. Review Hearing

The court will review your child’s dependency case within six months of the original placement. DCF must file a report with the court, and you should be allowed to review this report with your attorney. In the report, DCF will recommend one of three things:

- that your child’s placement be changed,
- that the case plan be continued so that you can complete it, or
- that the court begin proceedings to **terminate your parental rights**.

At a review hearing, the court will consider any relevant and material evidence. This means that the court will consider evidence that DCF presents, as well as evidence that you present through your attorney. This can include testimony, documentation that you have tried to communicate with your children, documentation that you have attempted to comply with your case plan, and any other evidence you and your attorney wish to present.

You have the right to appear at these hearings, and should if possible. You can appear by phone if you need to. As with all dependency hearings, you have the right to an attorney, and you should discuss how you can appear and what to expect in advance with your attorney.

According to court rules, DCF is required to notify you that you may participate in the development of the case plan. You should make every effort, either directly or through your attorney, to help develop a case plan that you can complete. In some cases, case plans may have some goals you can’t meet because of your incarceration. You need to talk to your attorney about this problem, and let DCF and the court know about this problem right away. You will need to work with them in order to create a case plan you can complete while you’re in prison, or that you will be able to complete after your release.

Termination of parental rights

means that you will no longer have any relationship with your child. You will not be allowed to know where your child is living, whether he or she has been adopted, or any information about him or her. If you are asked to sign a *voluntary termination of parental rights*, you should discuss the implications at length with your attorney. You need to understand that, no matter what happens after you have signed this paper, you will have **NO LEGAL RIGHTS** with relation to your children anymore.

E. Permanency Hearing

Within 12 months of the day your child was declared dependent and taken out of the home he or she was living in at the time, the state will hold a **permanency hearing**. The goal of the permanency hearing is for the court to decide what long-term goal there should be for your child's care. This is an extremely important hearing, as the permanent goals for your child's care can determine how much you will have to fight to keep any right to see your child.

In Florida, the law states that the first choice should always be to keep children with their parents. Incarcerated parents are in a much more difficult position than other parents. When a parent is incarcerated, it is impossible for a child to live with that parent. **It is important that you have set up responsible caregivers for your child and maintain contact with your child while you are incarcerated so that you can show the court why you should retain your parental rights and be reunited with your child.**

If the state decides that the arrangements you have made are not in your child's best interest, however, it may decide that adoption is best for your child. If the court decides that keeping you and your child together as a family is not possible, **it may start the process of terminating your parental rights**. Once your parental rights are terminated, you no longer have any legal relationship with your child and your child may be adopted.

The state can also consider other options, like permanent guardianship or permanent placement with a relative. If you have set up responsible caregivers who are caring for your child, you have a better chance of showing the court why these options are better alternatives than adoption.

What is a Guardian Ad Litem?

In court, a guardian ad litem is a voice for the child, and makes recommendations to the court about what would be in the child's best interests. A guardian ad litem is appointed by the court, and becomes familiar with your child and his or her life through regular visits. The guardian ad litem does not represent you or the state, only your child.

What happens at a permanency hearing?

At least three days before the hearing DCF will file a report with the court in which it recommends a permanency plan and explains why this plan is in the best interest of your child. **You have a right to see this report.** The court's first concern is your child's best interests, but it *may* also consider what your child wants. The court may also consider the opinion of the **guardian ad litem**, who is appointed by the court to represent your child's interests. The court may also consider the opinion of your child's current caretaker, who may be a foster parent.

After hearing the evidence, the court will make a decision. This decision is extremely important, and you should be sure that you understand it very well. Some of the possible court decisions are explained below:

The court may find that you should have more time to complete your case plan, and determine that setting up a permanent arrangement like adoption or formal guardianship is not in your child's best interests right now. The court will continue to monitor your child's case and hold a permanency hearing at least every 12 months. **It is very important to complete your case plan as soon as possible.**

If the court finds that reunification with your child is not possible, or that it is not in your child's best interests, the court or DCF may begin termination of parental rights proceedings against you. These proceedings are discussed in detail below. **It is essential that you understand your rights, and understand that termination of parental rights is a permanent severance of your legal ties to your child.**

termination of parental rights

As a parent you have a fundamental right to manage the care of your child. The state must have very specific reasons to terminate your rights without your consent, and you must be informed of these reasons and have a chance to respond to the accusations in front of a judge. **You have a limited right to appeal a final decision to terminate your parental rights, so you should carefully follow all deadlines and court requirements.**

There are some specific “**grounds for termination**” or reasons that are given in state law that can be used to justify terminating your parental rights. The state cannot terminate your parental rights simply because you’re in prison. The fact that you’re in prison can be considered in combination with other factors, however.

If any of the following things apply to your situation and your child is in DCF custody or under state supervision, you should talk to your attorney right away, or get a family law attorney’s advice. There is a real risk that the state may terminate your parental rights.

1. Incarceration

Your rights may be terminated if you are in a state or federal prison, the court believes termination is in the best interest of your child, **and** one or more of the following is true:

1. The amount of time left in your sentence at the time the petition for termination is filed is a large part of the time left before your child turns 18; **or**
2. Under the law you are considered a violent career criminal, a habitual violent felony offender, have been convicted of first degree or second degree murder, have been convicted of a sexual battery constituting a capital, life, or first degree felony violation; **or**
3. The court determines by clear and convincing evidence that continuing relationship with you would be harmful to your child, and thus termination would be in your child’s best interest.

What are my rights if the state moves to Terminate my Parental Rights?

This section gives you an overview of your rights in a termination proceeding. You shouldn’t use this manual as your only source of information if you are facing a termination proceeding. It is important that you talk to a lawyer as soon as you can.

Your right to an attorney

You have the right to a lawyer at **every stage of the proceedings**, from the first hearing until the final hearing. The judge should remind you of this at every step, but even if he/she doesn’t, you still have the right to a lawyer. If you have not been told you can have an attorney, you can submit a request for appointed counsel to the court. A sample form is in the forms section at the end of this Manual. If you can’t afford a lawyer, you have the right to have one appointed for free. A lawyer is important in a termination of parental rights case, and you should not face a hearing without a lawyer who represents your interests.

It is important that you work proactively to demonstrate to the court why reunification is in your child's best interests.

You should work to show the court:

- that the arrangements you made for your child while you were incarcerated are in your child's best interests, and
- that you have been working to maintain a relationship with your child while you have been incarcerated.

Remember, you have the right to be heard by the court and to present evidence on these matters. You have a right to an attorney, and you should work with your attorney to determine how you can best present your case to the court.

2. Abandonment

Your parental rights can also be terminated if a court finds you have *legally* abandoned your child. In legal terms, **abandonment** means that even though you could have given money to support your child, and could have talked to him/her regularly, you chose not to. The court knows that you can't work while in prison, so you may not have any money to give your children. It also knows that it's hard for you to see your children as much as you want. The court should not terminate your parental rights for abandonment just because you are in prison.

The most important thing you can do to demonstrate that you have not abandoned your child is to **stay involved in your child's life, however you can.**

- If you can arrange regular visits, do.
- Write to your child.
- Whenever possible and practical, you should keep copies of things you send your child.
- Keep a record of everything that your child sends to you.
- You should stay in regular touch with the child's caregiver and case worker. Even if these people do not respond to you, the court will see that you tried your best.
- Keep a record of visits, letters, parenting classes you have attended, and anything else that shows you have a relationship with your child.

3. Failure to Complete Case Plan

If you had a case plan before you went to jail or prison, or even if you were given a case plan while you were incarcerated, it may be hard to complete it on time. If you're having trouble with your case plan, you should contact your attorney, DCF, and your child's caseworker right away. They may be able to help you make accommodations to complete the case plan, or they may be able to change the case plan to accommodate any changes in circumstances.

You should keep dated copies of the letters you send and all responses. It's very important you do everything possible to complete your case plan because your parental rights can be terminated if you don't.

Defenses to Failure to Complete a Case Plan

Even if you tried your best, but still couldn't complete the case plan because you're incarcerated, you may have two defenses:

1. Compliance is impossible: If the case plan requires you to do something you cannot do, your rights can't be terminated because you didn't do it. For example, the case plan might require you to get a job, which you can't do while you're in prison. The case plan might require you to take parenting classes or get drug treatment that isn't available in your prison. You should keep a record of your attempts to comply with the case plan, and show why certain parts of the case plan were impossible to complete. A good way to create a record is to submit Inmate Requests for the things that you need to comply with the case plan. You should keep responses that you receive saying that the program is not offered or not available to you.

2. DCF failed to provide reasonable assistance: DCF must give you reasonable help. If DCF has not been in contact with you since you entered prison, or has ignored letters and other attempts you have made to contact them, then DCF may not have given you reasonable assistance. It is important to document your attempts to contact DCF and the times it didn't respond.

If your parental rights are terminated, then you become a stranger to your child in the eyes of the law.

You no longer have any right to have a say in your child's health and safety.

You do not even have the legal right to know where your child is.

If you want to have a legal right to be in your child's life, you must not allow your parental rights to be terminated. If you've been told that someone is trying to terminate your parental rights, do not sign anything and immediately get in touch with an experienced family lawyer. If you cannot afford an attorney, the court MUST appoint one to represent you and your interests. You have a right to an attorney at every hearing, and at every stage of this process.

Any court document with the title “**Affidavit and Acknowledgement of Surrender and Consent**” or any title like this **is a voluntary surrender of your parental rights**. If you “surrender” your child for adoption, you are consenting to the termination of your parental rights.

4. Consent to Termination or Surrender of Child for Adoption

You can consent to terminate your parental rights if you decide that you don’t want to be your child’s parent anymore. **Consenting to termination of your parental rights is a very serious decision**. Once you sign the paperwork, it becomes nearly impossible to reverse if you change your mind.

Before you sign any document consenting to termination of parental rights, you should understand that if your parental rights are terminated:

- You will never have a legal right to see your child again.
- You will not have a say in where he or she is placed.
- You won’t have a legal right to know where he or she is.
- You may not be able to get any news or information about him or her.
- You might not know if your child has been adopted or is still in foster care.
- If you give up your parental rights to more than one child, you have no guarantee that the state will place them together, and you will not know if your children are alone or with their brothers/sisters.
- In the eyes of the law, it will be like you never had your child at all.

You should understand your rights:

- No one can force you to consent to give away your parental rights.
- You should never sign papers just because you are being pushed, threatened, or because someone promises you something.
- If you are signing a voluntary consent to adoption, you have the right to have at least one witness present who is not personally or professionally affiliated with the adoption agency or prospective adoptive parents. You **MUST** be advised of this right in advance.
- You have a right to an attorney who will represent your interests in any termination procedure. You should be open and honest with your attorney about what you want and what you expect, and listen to what your attorney says about the limitations you may face. You should make sure that you do not sign anything that your attorney has not fully explained and that you agree to.

if you sign anything consenting to termination of your rights, you DO NOT HAVE ANY SAY IN WHAT HAPPENS AFTER THAT. Even if you think you know who will be adopting your children, you MUST understand that if anything changes, you will have NO CONTROL over where your children go, and have NO LEGAL RIGHT to find out where they are.

If you choose to sign a consent to terminate your rights, you should make absolutely sure this is what you really want, and that it's the best thing for you and your child. When you voluntarily surrender your rights, it becomes very difficult to challenge later if you change your mind.

Challenging Consent to Terminate Parental Rights

If you have already consented to terminate your parental rights or surrendered your child for adoption and now regret your decision, you may have the following options to challenge your consent:

- 1. The consent was obtained through fraud or duress:** If the people who gave you the consent form lied to you about what it said, or forced you to sign it through threats or other pressure, then you can petition to withdraw your consent. You will have to prove this in court, and the standards are extremely hard to meet.
- 2. Child over Six Months Old:** If your child was over six months old when you signed a consent to terminate your parental rights, you have three days to take back the consent. You can notify the adoption agency or attorney handling the case to revoke your consent within three days. You may be able to take back your consent after the three days if your child has not yet been placed with possible adoptive parents. However, you will have no way to know when your child is placed.

Remember, an attorney representing another person (even your children) does not represent your interests. The judge cannot give you legal advice. Only YOUR attorney can give you advice, and only YOUR attorney is ethically obligated to represent you and your interests.

You have a right to a hearing before a judge.

If the termination of your parental rights goes to a hearing, a judge will hear your case. You are not entitled to a jury in this type of case. The hearings will be confidential and closed to the public, meaning that no one but the people involved can be there or see the records.

At the hearing, the state has to prove that terminating your parental rights is the best thing for your child. The state must prove that you are an unfit parent by clear and convincing evidence. This means the state must show that everything it claims is very likely true. The state also must show that terminating your parental rights is the *least restrictive means* of protecting your child. This means that if the state has any way of looking out for your child's best interests other than terminating your parental rights, the state must try to take the less severe option instead of terminating your rights.

The state will likely call your child's caseworker, and may call a psychologist or other expert to testify that your child would be harmed in your custody. The state can also call anyone who knows you or your child. You should talk with your attorney about how to best defend against the state's case. You have the right to call witnesses and present evidence. You can hire your own expert, and you can call people like friends, family, neighbors, and teachers who can testify that your relationship with your child is strong and healthy.

The state may appoint a guardian ad litem to represent your child's best interests. A **guardian ad litem** is appointed by the court, and becomes familiar with your child and his or her life through regular visits. In court, a guardian ad litem is a voice for the child, and makes recommendations to the court about what would be in the child's best interests. The guardian ad litem does not represent you or the state, only your child. The guardian ad litem files a report with the court at least 72 hours before your hearing, and that report is important to the judge's decision. Since his/her report can affect your parental rights, you should try to have a good relationship with the guardian ad litem and make sure that he or she understands your relationship with your child.

You may be able to develop a relationship with your child's guardian ad litem by writing to them or calling them. Contact information for the guardian ad litem offices are located in Appendix F.

You have a right to notice.

You have a right to notice of any termination of parental rights proceedings against you. This means that the state must tell you that proceedings have started, and give you a chance to file a response with the court. You should be given your own copies of any paperwork that is filed in the case, or be able to get copies from your attorney. You must have a chance to appear in court at the hearing in person or by phone.

It is very important that if you are notified that the state has begun proceedings to terminate your parental rights, you respond as soon as possible. You should get an attorney as soon as possible to assist you in any termination proceeding. The court should notify you of your right to counsel, and you should be appointed counsel if you cannot afford an attorney. If you have not received notice of your rights, you should submit a request for appointed counsel at once. A sample form is in Appendix A.

You have a limited right to appeal a final termination order.

If your parental rights are terminated, you **must appeal within thirty (30) days of the final order terminating your parental rights**. If you don't, you will lose your right to appeal.

You have a right to appointed counsel on appeal, just like you did in the original hearing. If you can't afford a lawyer, the state must give you one. You should immediately request that your attorney appeal the case, or request that the court appoint an attorney to represent you. It is very important to get a lawyer and file an appeal ***right away***.

The appeals court will only decide whether the original court **abused its discretion**. This means that unless the state failed to prove its case, and its case was so weak that no court should have terminated your parental rights, the termination will stand.

It is very important to respond to the court and participate in the proceedings.

If you know about the proceedings, and you do not file an answer, do not go to the initial advisory hearing, or do not go to the subsequent advisory hearing if ordered to do so, it will be like you consented to the termination of your parental rights. **You will lose the right to argue to keep your parental rights.** It is very important that you follow court deadlines carefully and go to hearings. You can ask to appear in person or by phone at these hearings, but you should make sure that your attorney, DCF, the Court, and anyone else related to the case know that you will require special arrangements as far ahead of time as possible.

Special Situation: Native Americans

If you are a Native American or American Indian, **you need to tell the court and your lawyer right away.** The rights of Native Americans are governed by a federal law that is different from Florida law. If you identify with a Native American tribe, you should bring it to the attention of your attorney and the court as soon as possible so that they can determine what law applies.

visitation

Some of the questions that this section addresses are:

- What are my legal rights to visitation with my child?
- What if I have a court order for visitation from a divorce before I was in prison?
- Can the Department of Corrections or a jail keep me from visiting with my children?
- What are the visitation procedures for the FL DOC?

While you are incarcerated, the issue of visitation with your child can become complicated. Often whether or not you are able to see your child is outside your control. This can be frustrating and upsetting. Even if you are not able to have in person visits with your child while you are incarcerated, you should make every effort to communicate with your child however you can, including letters and phone calls.

Your Legal Rights

If a court is involved in your child's life, whether because of a divorce, paternity case, or other family law proceeding, that court will likely make some ruling on visitation. In general, Florida courts tend to allow frequent and continuing visitation with both parents. However, the most important thing a court considers is the best interest of the child. This means that if a court determines that it would have a negative effect on a child to visit a parent, the court can refuse to grant visitation, or even prohibit visitation.

Courts often suspend the visitation rights of parents while they are incarcerated. Additionally, courts are not likely to require that the custodial parent bring the child to visitation with the incarcerated parent. In some cases, courts may order visitation if a grandparent, or other close relative, is willing to bring the child on visits with the incarcerated parent. These types of arrangements are rare, and can be reversed if the child finds the experience traumatic.

The Florida Rules of Administrative Procedure, Chapter 33, contain the rules for visitation in DOC facilities. You should check the rules for updates frequently.

If you do not have a visitation order in place that allows you to see your children, you have a right to petition the court for a modification of visitation. In such a petition, you must show how the situation has substantially changed since the original order went into effect. You must also show why the change would benefit your child. This standard is extremely high, and can be very difficult for an incarcerated parent to prove.

DOC Discretion for Visitation

In Florida, the Department of Corrections (DOC) is required to maintain minimum visitation areas that allow inmates to visit with families, including children. DOC must also make the rules for dress and other requirements accessible for inmates and potential visitors, in order to make sure that visitors are able to know their responsibilities in advance.

You should remember, however, that DOC has discretion to approve visitors or prohibit visits with children. Courts have found that restrictions on visits by children can be allowed if they are related to promoting security and protecting the children. Practically, it is more likely that you will be denied visits with children if your offense involved abuse of children or sexual misconduct.

How Can My Friends or Family Visit Me in Florida DOC Facilities?

Getting Approved

1. Send the people who you would like to visit you an application.
 - All visitors over age 12 must complete their own application.
 - The first part is form DC6-111A , which the applicant completes and submits to the Classification Department at your current institution.
 - The second part, form DC6-111B, is visitor information that the visitor should review and keep.
 - It takes about 30 days to process an application after it is received.

2. Some things that can disqualify a visitor are:
 - Criminal history (this is determined on a case by case basis, and is not an automatic disqualification)
 - Lying on a visiting application
 - Mailing an incomplete application
3. When a decision is made about visitation, Classification notifies the inmate. The inmate then can notify visitors by phone or mail.

Visiting

1. Visitation is on Saturdays and Sundays, as well as certain holidays. You should check the Rules for the dates that visits will be allowed.
2. There are rules for visitation regarding times for registration and visiting hours. These vary by time zone, so you should be sure to check with your facility about the rules.
3. Visitors can not give anything to inmates during visits, except with a special consent from the Warden, obtained in advance of the visit.
4. You should check with the facility and the DOC Rules for additional restrictions on visiting, including parking, cash, items allowed into the park, medication, and dress codes.

Bringing Children to Visit

1. Any minor under 17 must be accompanied by a DOC approved adult that is on the inmate's list. If the adult is a non-parent, the adult must have a notarized document from the parent or legal guardian (who is not an inmate), that gives permission to bring the child for a visit even if the minor is approved.
2. For babies and toddlers, only very specific items are permitted in the visiting park. You should check with the facility in advance of a visit to be sure that your visitors comply with current rules.

paternity

This section explains what legal paternity is, how it can be established, and why it is important for parents, children, and caregivers.

Some of the questions addressed by this section are as follows:

- What does it mean to establish paternity?
- Why is paternity important?
- What if paternity is contested? Can I get a DNA test?
- What if I think I have a child and want to be sure my rights are not terminated?

Establishing paternity means legally determining the father of a child.

If a child's parents were not married to each other when the child was born, the law does not recognize a father unless paternity is legally established. Parents have both rights and responsibilities, and establishing paternity ensures that both parents have all of these rights and responsibilities.

Establishing paternity can be very simple for people who are not incarcerated. They are able to sign an affidavit, also called a "paternity acknowledgement" form, either in the hospital when the baby is born or at a local Health Department or Department of Children and Families office, swearing that they are the biological parents. Both mother and father have 60 days to rescind this affidavit, but after that time, they would have to go to court to prove that they were forced to sign or defrauded.

For incarcerated parents, the issues are much more complicated and likely require court involvement. The issue may arise as an independent issue, or in relation to other issues before the court, such as divorce, child support, visitation, or termination of parental rights.

If you are involved in a court matter in which the issue of paternity arises, you can "**stipulate to paternity**". This means that you can sign a legal document that establishes paternity by agreement of the parties. This document will be filed with the court. It legally establishes paternity.

If you think you may have fathered a child in Florida, and do not want to let your rights be terminated if the mother cannot care for the child, you should register with the Florida Putative Father Registry.

If the issue of paternity is contested, and the parties cannot agree about who the biological father of a child is, the court may hold a hearing to establish paternity. Genetic testing may be employed to determine biological paternity. A sample motion requesting DNA testing is in the forms following this section. In Florida, courts have recognized that there may be a right to a jury trial on the issue of paternity, although this would be rare.

“Florida Putative Father Registry”

Florida law has created a registry that allows a man who believes that he may be the biological father of a child to preserve his rights as a parent regardless of whether the mother wants to acknowledge him or not.

“Putative” here simply means that you believe that you are the biological father of a child. *If you have established paternity through marriage, signed acknowledgement, or court order, you are not required to register to preserve your parental rights.* If you are unsure of whether you are legally established as the father of the child, you may wish to register to preserve your rights.

Registering with the Putative Father Registry gives you certain rights and may also bring certain responsibilities:

- You have the right to be notified before the child is adopted.
- If genetic testing establishes that you are the father, you will be given the opportunity to object.
- You may be required to pay child support.

You must be registered before any legal proceedings involving the child have begun. If you believe that you may have fathered a child, and want to preserve your rights, you must register with the Office of Vital Statistics, Florida Department of Health. A fee may be required for registration. See the following forms for more information and an application.

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

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

MOTION FOR SCIENTIFIC PATERNITY TESTING

() Petitioner () Respondent certifies that the following information is true:

- At this time, other than testimony, very little or no substantial proof of paternity is available in this action.
- I request, under section 742.12, Florida Statutes, that the Court enter an order for appropriate scientific testing of the biological samples of Petitioner and Respondent and the minor child(ren) listed below, so that a determination of paternity of the minor child(ren) can be made to a reasonable degree of medical certainty:

Name	Birth date
(1) _____	_____
(2) _____	_____
(3) _____	_____
(4) _____	_____

- I request that the costs of scientific testing initially be borne by () Petitioner () Respondent () both Petitioner and Respondent.

I certify that a copy of this document was [one only] () mailed () faxed and mailed () hand delivered to the person(s) listed below on {date} _____.

Signature of Party
Name: _____
Address: _____

Date

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on this _____ day of _____, 200____, by the above named Petitioner _____.

NOTARY PUBLIC or DEPUTY CLERK
Name: _____

Seal:

_____ Personally known
 _____ Produced identification
 _____ Type of ID produced _____



FLORIDA PUTATIVE FATHER REGISTRY CLAIM OF PATERNITY

CAREFULLY READ the information provided on the reverse of this form. PLEASE TYPE OR PRINT CLEARLY.

Part 1 PUTATIVE FATHER'S (REGISTRANT) INFORMATION TO BE INCLUDED IN PUTATIVE FATHER REGISTRY

FULL NAME OF FATHER	FIRST	MIDDLE	LAST INCLUDING ANY SUFFIX	DATE OF BIRTH
RESIDENCE STREET ADDRESS (AND APT.)		CITY	STATE	ZIP CODE
ALTERNATE ADDRESS (AND APT.), IF APPLICABLE		CITY	STATE	ZIP CODE

PLEASE PROVIDE A PHYSICAL DESCRIPTION OF FATHER _____

Part 2 CONCEPTION INFORMATION

DATE OF CONCEPTION (MONTH, DAY, YEAR)	PLACE AND LOCATION OF CONCEPTION (Not limited to, but including city and state)
---------------------------------------	---

Part 3 AGENT/REPRESENTATIVE APPOINTMENT To receive notice of pending adoption, you **MUST** provide address information. This address cannot be a post office box. If you choose, you may designate another person as an agent or representative to receive notice of any termination of parental rights proceeding and /or adoption that is filed regarding the mother and child listed on this form. Said agent or representative **MUST** sign the acceptance of designation below in order to receive notice or service of process.

PRINTED FULL NAME OF AGENT OR REPRESENTATIVE	FIRST	MIDDLE	LAST	SUFFIX
RESIDENCE STREET ADDRESS (AND APT.)		CITY	STATE	ZIP CODE
SIGNATURE OF AGENT OR REPRESENTATIVE				

Part 4 MOTHER'S INFORMATION (If date of birth unknown, provide approximate age of mother)

FULL NAME OF MOTHER	FIRST	MIDDLE	MAIDEN, IF KNOWN or LEGAL SURNAME	DATE OF BIRTH
RESIDENCE STREET ADDRESS (AND APT.)		CITY	STATE	ZIP CODE

PLEASE PROVIDE A PHYSICAL DESCRIPTION OF MOTHER _____

Part 5 CHILD'S INFORMATION (If exact date of birth unknown, provide estimated date of birth OR anticipated date of delivery in case where birth has not yet occurred).

FULL NAME OF CHILD	FIRST	MIDDLE	LAST INCLUDING SUFFIX	SEX
DATE OF BIRTH (MM/DD/YYYY)	CITY OF BIRTH	COUNTY OF BIRTH	STATE OF BIRTH	

FEE FOR FILING AND INDEXING YOUR CLAIM OF PATERNITY IN THE FLORIDA PUTATIVE FATHER REGISTRY Check or money order payable to <u>Vital Statistics</u> in U.S. Dollars (DO NOT SEND CASH)	\$9.00
---	--------

PUTATIVE FATHER'S ACKNOWLEDGMENT

To provide false information for fraudulent purposes is a third-degree felony punishable by the terms and conditions as set forth in Florida Statutes

<p>It is my belief that I am the UNMARRIED BIOLOGICAL FATHER of the above child and that I wish to assert my rights as the father. I understand that my name and information will be included in the Putative Father Registry maintained by the State Office of Vital Statistics, Florida Department of Health and that by filing this Claim of Paternity it serves as confirmation of my willingness and intent to support the child for whom paternity is claimed in accordance with state law.</p> <p style="text-align: center;">_____ PRINTED NAME OF PUTATIVE FATHER</p> <p style="text-align: center;">_____ SIGNATURE OF PUTATIVE FATHER</p> <p>State of _____ County of _____</p> <p>Subscribed and sworn before me this _____ day of _____, 20 _____</p> <p style="text-align: center;">_____ PRINTED NAME OF NOTARIZING OFFICIAL</p> <p style="text-align: center;">_____ SIGNATURE OF NOTARIZING OFFICIAL</p>	<p style="text-align: center;"> <input type="checkbox"/> Personally Known or <input type="checkbox"/> Produced Identification </p> <hr/> <p style="text-align: center;">Type of Identification Produced</p> <p style="text-align: center;">(Place Notary Stamp Here)</p>
---	---

DH1965
(10/03)

**IMPORTANT INFORMATION CONCERNING
FLORIDA PUTATIVE FATHER REGISTRY - CLAIM OF PATERNITY**

Statute references may be accessed through the website address at the bottom of this form*

BACKGROUND AND PURPOSE Section 63.054, Florida Statutes has provided for the establishment of a Putative Father Registry in the Office of Vital Statistics (OVS), Florida Department of Health (DOH). The purpose of the registry is to permit a man alleging to be the biological father of a child to assert his parentage, independent of the mother, and preserve his rights as a parent. This registry also may expedite adoptions of children whose biological fathers are unwilling to assume responsibility of their child. For purposes of this provision registrant means an "unmarried biological father". The information provided is not designed to be legal advice. Questions concerning paternity, presumptions of paternity, or rights and responsibilities of a parent should be directed to an attorney.

If an unmarried biological father fails to take the actions that are available to him to establish a relationship with his child, his parental interest may be lost entirely, or greatly diminished, by his failure to timely comply with the available legal steps to substantiate a parental interest.

A man is presumed to be the biological father and is not required to register with the paternity registry if:

- 1) he was married to the mother at the time of the child's birth;
- 2) the mother was not married at the time of the birth and the man acknowledged paternity at the hospital at the time of the child's birth;
- 3) the mother was not married at the time of birth and the man acknowledged paternity subsequent to the birth by filing a Consenting Affidavit Acknowledging Paternity, DH 432 with OVS and the record has been amended to reflect him as father; OR
- 4) paternity has been established by court order.

INFORMATION FOR COMPLETING CLAIM OF PATERNITY FORM - Type or print neatly. This form **MUST** be signed under oath.

- All information in Part 1 concerning the father is required. Do not leave any of these items blank.
- Complete Parts 2, 4 & 5 to the best of your ability. If an item is unknown, leave the space blank. The child's name, date of birth, place of birth, and the mother's maiden name are critical to linking the Claim of Paternity with an actual child. The more complete the information you provide, the more effective the paternity registry can be. If mother's maiden name is unknown but her legal surname is known, please provide legal surname and indicate that name provided is legal surname. If you have named an agent/representative to act on your behalf, said agent or representative **MUST** file an acceptance of the designation, in writing, in order to receive notice or service of process.
- A Claim of Paternity may be filed any time prior to the birth **BUT** a claim of paternity may not be filed after the date a petition is filed for termination of parental rights.
- By filing this claim of paternity, the registrant expressly consents to submit to DNA testing upon the request of any party, the registrant, or the adoption entity with respect to the child referenced in the claim of paternity.
- The registrant may, at any time prior to the birth of the child for whom paternity is claimed, execute a notarized written revocation of the claim of paternity previously filed and upon such revocation, the claim of paternity shall be deemed null and void. A Claim of Paternity - Update to Registration form is available for this purpose.
- If the court determines that a registrant is not the father of the minor, the court shall order the department to remove the registrant's name from the registry.
- It is the obligation of the registrant or, if designated an agent or representative, to notify and update the information contained in the registry in OVS of any change of address or change in the designation of an agent or representative. A Claim of Paternity - Update to Registration form is available for this purpose.
- OVS will notify the registrant, in writing, of their receipt of a Claim of Paternity OR a Revocation filed on a Claim of Paternity - Update to Registration.
- Pursuant to s. 63.541, Florida Statutes, information in the registry is confidential and may only be released to:
 - a) an adoption entity, upon filing of a request for a diligent search of the Florida Putative Father Registry in connection with the planned adoption of a child,
 - b) the registrant **unmarried** biological father upon receipt of a notarized request for a copy of his registry entry and
 - c) the court, upon issuance of a court order concerning a petitioner acting pro se in an action under this chapter.
- Florida law requires a fee of \$9.00 for filing an indexing a claim of paternity. Please make your check or money order payable to Vital Statistics. **DO NOT SEND CASH.** Florida Law imposes an additional service charge of \$15 for dishonored checks.

Mail application with payment to VITAL STATISTICS, P.O. BOX 210, Jacksonville, FL 32231-0042

* http://www.myflorida.com/planning_eval/Vital_Statistics/index.html

OFFICE OF VITAL STATISTICS USE ONLY

ACTUAL NAME OF CHILD	FIRST	MIDDLE	LAST	SUFFIX
DATE OF BIRTH (MM/DD/YYYY)	STATE FILE NUMBER		<input type="checkbox"/> Registration acceptance notice sent to registrant and date sent: <input type="checkbox"/> Revocation received date: <input type="checkbox"/> Revocation acceptance notice sent to registrant and date sent: <input type="checkbox"/> Notice of Termination of Parental Rights - Date received:	

child support

You are responsible for paying court-ordered child support even while you are incarcerated. Just going to prison and losing your income does not excuse you from your responsibility. This is true if you were required to pay child support before you went to jail or prison under a final order in a divorce, paternity suit, or other child support proceeding. This means that you will continue to owe all the child support that you do not pay while you are incarcerated. Owing child support can impact you in many ways when you are released, including having personal property taken to reduce the amount you owe, not being allowed to have a valid driver's license, and possibly even going to jail.

Under Florida law, child support orders can only be changed if there is a “substantial change in circumstances” and it is in “the best interests of the child” who benefits from the support. A substantial change in circumstances can include a change in income as a result of being incarcerated. But, the Florida Supreme Court has found that the best interests of a child are more important than the inability of a prisoner to pay support because of incarceration.

There are some things you can do to make the situation better for yourself, and for your child. Prisoners can submit a **Motion to Modify Child Support** with the court that ordered you to pay child support. An example of a Motion to Modify can be found following this section. The court should not rule on the Motion until after you are released. The good thing is that any payments that become due after you file the Motion may be subject to consideration by the court for altered payment schedules, reduction, or other modification.

A. What information is in a Motion to Modify Child Support?

In a Motion to Modify, you will need to have a copy of the final judgment (and any modifications) that governs the support you owe. It may be a final order for dissolution of marriage (divorce), paternity, or for child support in any other circumstance. You should use the same case number, division, and court for the Motion. You are the Petitioner, and the party to whom you have been ordered to pay support is the Respondent.

You are responsible for paying court-ordered child support even when you are in prison. This section will explain your rights and responsibilities.

If you are unable to pay child support that a court has ordered because you are in jail or prison, you should file a Motion to Modify Child Support as soon as possible. After you are released, the court will decide how much you owe, and can create a payment plan for you to follow.

Florida courts do not consider lack of income due to incarceration a sufficient reason to allow you to pay no child support. But, your incarceration and lack of income *is a substantial change in circumstances* that may convince the court to modify your payment requirements after your release. You should describe how incarceration has changed your ability to receive income, including any benefits, and how it might impact your ability make money in the future. This should be section 3 of the Motion to Modify.

When you complete section 4, you should consider how you would like the court to modify your child support. You may ask that the court suspend all future payments during your incarceration and reevaluate your ability to pay upon release. You may also request lower payments, or a payment schedule that can be extended. It is unlikely that the court will eliminate your payments while you are in prison, but the court should wait until you are released to hold a hearing on the matter, so you can ask for whatever you would like and discuss it with the court later.

Section 5 involves the best interests of the child or children for whom you owe support. It is advisable that you consider the position that the court will take when considering the best interests of the child, which is that a child has a right to support from his or her parents. If you are unable to provide support because you are incarcerated, the child's right to support has not been changed, and it is still in their interest to get support. However, you may wish to note that creating a realistic payment plan upon release, or extending payments beyond the time your child turns 18, or otherwise modifying support so that you will be able to actually provide support is in the best interest of the child(ren). You may also wish to discuss other related issues, such as the fact that your ability to get and maintain work after release will be helped if you are able to secure a valid driver's license.

It is important that you understand that you **MUST** file this Motion properly with the court as soon as possible. Any payments that you have missed before the Motion is submitted are considered due, and due immediately. The court cannot look back at these missed payments and alter them or adjust a payment plans for them.

The documents required by sections 6, 7, and 8 should already be on file in your matter. You will likely need to file amended documents as soon as possible, and prior to any hearing on the Motion to Modify, which should not be held until after you are released. You should contact the pro se clerk of court for your circuit or your local legal aid office for assistance and advice regarding these forms.

You should sign the Motion in the presence of a **notary**. You may submit an Inmate Request to have a notary witness your signature.

B. What does a Motion to Modify look like?

The form at the end of this section is a guide for a Motion to Modify. You can create your own Motion using this sample form as a guide. You should be sure that all information discussed above is included, as this is the information that the Florida Supreme Court currently requires for such a Motion. You should keep a copy of all documents you submit to the court for your records.

C. What happens after I file my motion?

Pursuant to the Florida Supreme Court's ruling in Department of Revenue v. Jackson, 846 So.2d 486 (Fla. 2003), the circuit court should hold your Motion to Modify in abeyance until you are released from prison. **This is very complicated legal language, but really just means that the court should not approve or deny your motion, but wait to have a hearing until you have been released.**

If you filed in the correct circuit court and your Motion to Modify was denied on the merits while you are still incarcerated, you should contact your local legal aid provider or Florida Institutional Legal Services for assistance. **You should NOT allow the thirty (30) day deadline for your Notice of Appeal to pass while waiting to hear from any legal services provider. You should file your Notice of Appeal as soon as possible.**

After your release, either you or the other party can ask the court to set a hearing on the Motion. Then, you will have to make sure that you have completed all required paperwork and go before the judge, who will determine whether your support obligations will be modified. This should include both the debt that has accrued since you filed the Motion to Modify as well as future payments. You will be required to pay immediately all past due payments that came before you filed your Motion, and the court cannot change this.

Once you have resolved your child support in a way that satisfies the court, including a payment schedule, you should be able to get a document that will allow you to get a valid driver's license, car registration, and clear up your credit report.

What if my Motion is denied while I am incarcerated?

If the circuit court denies your Motion to Modify, you can appeal to the Court of Appeals for the District in which the circuit court sits. **You should not wait to appeal such an order. You have only thirty (30) days to submit your Notice of Appeal to the circuit court after the final judgment or you will lose your right to appeal.**

If you want to pursue an appeal, you should refer to the Florida Rules of Appellate Procedure and the local rules for your district for assistance. Your Notice of Appeal must have the same headings as the original case, and make it clear that it is a Notice of Appeal of a final order on the Motion to Modify. You should include the date of the Motion and the final order. You should contact the court to determine what fees are required for an appeal, and how you can go about paying them. You should not wait to file your Notice of Appeal regardless of whether you have the fees to pay or you will **lose** your right to appeal. If available, an inmate law clerk may be able to assist you in filing your Notice of Appeal.

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

Case No: _____
Division: _____

Petitioner,

and

Respondent.

**SUPPLEMENTAL PETITION FOR
MODIFICATION OF CHILD SUPPORT**

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

- 1. The parties to this action were granted a final judgment () of dissolution of marriage () of paternity () for support unconnected with a dissolution of marriage on _____ date of final judgment.

A copy of the final judgment and any modifications(s) is attached.

- 2. Paragraph(s) _____ of the () final judgment or () most recent modification thereof establishes the present child support at \$ _____ due every () week () other week () month, beginning on the following date: _____.

- 3. Since the final judgment or most recent modification thereof, there has been a substantial change in circumstances, requiring a modification in child support. This change in circumstance is as follows:

- 4. I ask the Court to modify child support as follows: _____

- 5. The change is in the best interests of the child(ren) because: _____

- 6. A completed Family Law Financial Affidavit, Florida Family Law Rules of Procedure Form 12.902(b) or (c) is, or will be, filed.
- 7. If not previously filed in this case, a completed Notice of Social Security Number, Florida Supreme Court Approved Family Law Form 12.902(j), is, or will be, filed.
- 8. A Child Support Guidelines Worksheet, Florida Family Law Rules of Procedure Form 12.902(e) is, or will be, filed.
- 9. Other: _____

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: _____
Tel #: _____
Fax #: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me on this _____ day of _____, 200____, by the above named
Petitioner _____

NOTARY PUBLIC or DEPUTY CLERK

Name: _____

Seal:

Personally known

Produced identification

Type of ID produced _____

divorce

This section will give you only very basic information on what areas of your life and your rights may be impacted by divorce. If you are served with divorce papers, it is important to respond as soon as possible. You also may be able to file for divorce while you are incarcerated. This section does not contain information on how to file or respond to a divorce petition.

The questions this section will address are:

- What should I know about divorce while I am incarcerated?
- What issues can come up in a divorce?
- Should I sign a settlement just to get things over with?
- How can I get more information on divorce in Florida?

In Florida, as in many states, divorce is often called “dissolution of marriage” in the courts. The law in Florida recognizes that in most cases, a divorce has a significant impact on the husband and wife, as well as their families, children, and financial and legal affairs. Each divorce is unique and divorce proceedings can be very complicated. This Manual is not designed to guide you through a divorce. It may flag some issues that may arise in relation to divorce proceedings.

You should understand that only a lawyer with whom you have a signed retainer agreement can give you legal advice about a divorce. Clerks and judges are not permitted to give legal advice, and your spouse’s attorney is ethically prohibited from giving you advice and does not represent your interests.

In order to consolidate issues before the court, and ensure that judges can consider the whole range of family law matters related to a case, many issues are decided in a **settlement, an agreement**, or a final judgment of dissolution of marriage. Before you sign any agreement, you should be sure that you have considered how it will affect you, your children, your property, and your finances, both now and in the future.

Some of the areas that can be decided in a divorce are:

- ALIMONY (or payments to your ex-spouse)
- CHILD SUPPORT (including how much, how often, and what forms of payment are acceptable)
- CHILD CUSTODY (including whether you have the right to visitation and whether your spouse may move to another state or country)
- PROPERTY DIVISION (this includes land, homes, joint bank accounts, and all personal property like cars, furniture, appliances, etc.)
- TAXES (including how deductions for federal taxes are made and how child support can impact your future tax returns)

If your spouse is seeking a divorce, you have the right to receive notice of any hearings from the court. If you would like to talk to the judge during a hearing, you should file a request to appear in person or by telephone with the court. Forms that you can use as guides for requesting to appear can be found at the end of the Manual.

You may be asked to sign a settlement, an agreement, or some other document that will “waive” your right to “notice” of hearings or other matters. You should understand that this means that the court can make decisions about these matters without consulting you, and without telling you that the decisions have been made. If you sign any documents like this, you should be sure that you fully understand everything that it means, and understand that you are agreeing to everything that is on that paper, even if someone is telling you it doesn’t matter or means something else.

If you would like more general information about divorce in Florida, you can request a single copy of the Florida Bar Consumer Pamphlet on Divorce. You should send a legal sized, self-addressed, stamped envelope with your request to: Consumer Pamphlets, The Florida Bar, 651 East Jefferson Street, Tallahassee, FL 32399-2300.

public benefits^{for your} child

Medical Benefits

Medicaid for Newborns

Your child may be eligible for Medicaid when he or she is born. Have the caregiver apply for Medicaid through DCF as soon as possible after the birth so that your baby can get access to medical care. Your child's caregiver can apply online through Access Florida, or by calling **(866) 762-2237**.

Medicaid may pay retroactive benefits to cover the child's medical bills up to the three months prior to the application, if the child qualifies for coverage. The DOC **will not** pay for **your baby's** medical expenses. Medicaid does not reimburse (or pay back) for payments that have been made by a caregiver if the child is determined eligible at a later date.

Medicaid or KidCare for Children

Children who do not have Medicaid or KidCare coverage can have the caregiver file an application on behalf of the child. Unless the caregiver wants to receive benefits with the child, only the child's income and/or assets are counted for the Medicaid. If the child is not eligible for Medicaid because of income or assets, the child may be eligible for health coverage through KidCare with a small monthly premium (\$15-20).

If the child is already covered under the parents' name, or another caregiver's name, the application needs to be converted to the current caregiver's name by calling DCF at **866-762-2237**.

Automatic Qualification for Medicaid

If a child receives Supplemental Security Income (SSI) benefits due to a disability, the child automatically qualifies for Medicaid benefits through the Social Security Administration (SSA). If a caregiver and child qualifies for Temporary Cash Assistance (TCA) or if a child counts as a "household of one" for purposes of TCA, then the child should qualify for Medicaid. See below for more information on TCA.

This section offers a VERY BRIEF overview and summary of benefits that may be available to your child or their caregiver.

This information is only a very general overview because each program has extensive guidelines and requirements that are often changing. You or your child's caregiver should contact a legal services provider, DCF office, or the Social Security Administration to get a full list of requirements for eligibility, requirements for application, and an assessment of what services are available based on your child's individual case. Additional benefits may be available that are not listed here, and not all of the benefits here may be available to your child.

To get more information about benefits, or to enter online applications for benefits, visit Access Florida at www.myflorida.com/accessflorida/.*

*This is a website administered by DCF.

Important Note:

You should understand that applying for benefits brings your child and your child's caregiver in contact with the state. Even though your child may be eligible for some benefits regardless of the care arrangement you have in place, your child's caregiver should be prepared to answer questions and potentially open their home to inspection by the state. If you have a more formal arrangement in place, such as Temporary Legal Custody, there are fewer risks that your child and/or your child's caregiver will be denied benefits.

Temporary Cash Assistance

The Temporary Cash Assistance program (TCA) provides cash assistance to families with children under 18 (or under 19 if a full time high school student) when the family meets the eligibility requirements. The program's goals are to keep children in their homes while assisting families in becoming self-sufficient.

A child may qualify as a "household of one" in cases where they reside with a relative caregiver who opts to receive TCA for the child only. When a child is a "household of one," the child qualifies for the cash assistance based on his or her own citizenship, assets, and needs.

Participation in the TCA program may require the relative caregiver to cooperate with officials seeking to enforce child support orders on the absent parents. This could mean that as a parent, you could be served with an order to pay child support. Even if you are unable to pay, your child will receive the TCA benefits. If you are ordered to pay support, you should refer to the section on Child Support in this Manual for important information.

Food Stamps

A household must apply together for food stamps. The basis of eligibility for food stamp benefits is the income, assets, and technical factors of all household members. If your child is being declared as part of a household for food stamp coverage, the caregiver and the child may have to participate with officials in child support enforcement actions. This could mean that as an absent parent, you could be served with an order to pay child support. Even if you are unable to pay, your child will receive the food stamp benefits. If you are ordered to pay support, you should refer to the section on Child Support in this Manual for important information.

Note to Undocumented Persons:

Entering any governmental or state agency office, or applying for any government benefits may expose you to questioning about your citizenship or immigration status, whether it is a criteria for eligibility or not.

Social Security Benefits

Certain federal benefits may be available to relative caregivers who care for disabled children, or for children who have deceased parents that were receiving benefits. For more information on eligibility and other requirements, your child's caregiver can visit their local Social Security Administration office. If you or your child's caregiver has additional questions about Social Security benefits, you can contact your local office or the national office:

www.ssa.gov
(800) 772-1213
Social Security Administration
Office of Public Inquiries
Windsor Park Building
6401 Security Blvd.
Baltimore, MD 21235

Veterans' Benefits

If you are a disabled veteran who is incarcerated, you may be able to assign some of your benefits to your child. This would not decrease the benefits you receive, but could allow your child an additional source of income. If your disability rating changes, it could have an effect on the benefits your child receives. For more information on Veterans Benefits, you may contact:

www.va.gov
(800) 827-1000
Department of Veterans Affairs
St. Petersburg Regional Office
P.O. Box 1437
St. Petersburg, FL 33731

appendix a Additional Sample Forms

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

Case No: _____
Division: _____

Petitioner,

and

Respondent.

REQUEST FOR APPOINTED COUNSEL

I, _____ () petitioner or () respondent in the above referenced case, request that the Court appoint counsel to represent me pursuant to F.S. §30.013(1) for the following reasons:

1. I am the parent of _____, DOB _____, about whom there is a pending dependency action.
2. I am indigent, and have no means to pay for an attorney to represent me in this matter.
3. I am currently incarcerated, and have no immediate sources of income with which I could make an agreement to pay an attorney.

Date: _____

Signature

Printed Name

Address: _____

I hereby certify that a copy of the foregoing was mailed by U.S. mail to the other party at the address listed below on this ____ day of _____, 200__.

Name: _____

Address: _____

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

Case No.: _____
Division: _____

_____,
Petitioner,

vs.

_____,
Respondent.

NOTICE OF SOCIAL SECURITY NUMBER

I, {full legal name} _____, certify that my social security number is _____, as required in §61.052(7) or (10), §742.031(3), §742.032(1)-(3), and/or §742.10(1)-(2), Florida Statutes. My date of birth is _____.

- _____ 1. This form is being filed in a dissolution of marriage case in which the parties have no minor children in common.
- _____ 2. This notice is being filed in an action in which the parties have minor children in common. The minor child(ren)'s name(s), date(s) of birth and social security number(s) is/are:

Name	Date of Birth	Social Security Number
_____	_____	_____
_____	_____	_____
_____	_____	_____

Attach additional pages if necessary.

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

Dated this _____ day of _____, 20____.

Signature

Printed Name

Address

Telephone: () _____

Sworn or affirmed and signed before me
This _____ day of _____, 20____.

(SEAL)
Notary Public – State of Florida

or

Clerk of Circuit Court

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

Case No: _____
Division: _____

Petitioner,

and

Respondent.

REQUEST TO APPEAR TELEPHONICALLY

I, _____ () petitioner or () respondent in the above referenced case,
request that the Court enter an order allowing my appearance by telephone for the hearing scheduled for
_____ on the grounds as follows:

I am incarcerated at _____ jail/prison and will not be released prior
to the hearing.

Date: _____

Signature

Printed Name

Address: _____

I hereby certify that a copy of the foregoing was mailed by U.S. mail to the other party at the address listed below on
this ____ day of _____, 200__.

Name: _____

Address: _____

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

Case No: _____
Division: _____

Petitioner,

and

Respondent.

REQUEST FOR TRANSPORT TO COURT HEARING

I, _____ () petitioner or () respondent in the above referenced case, request that the Court enter an order for my transport to the courthouse so that I may appear at the hearing scheduled for _____ on the grounds as follows:

I am incarcerated at _____ jail/prison and will not be released prior to the hearing.

Date: _____

Signature

Printed Name

Address: _____

I hereby certify that a copy of the foregoing was mailed by U.S. mail to the other party at the address listed below on this ____ day of _____, 200__.

Name: _____

Address: _____

appendix b

Tips for Navigating the Florida Department of Corrections
Inmate Grievance Procedure - Chapter 33, Florida Administrative Code
Updated March 2008

In order to obtain relief from the Department of Corrections (DOC) for a complaint you have, you should utilize the grievance procedure. It is **very important** that you comply with the DOC deadlines for filing grievances and appeals, as you probably will lose your right to appeal a denial of a grievance or appeal in any outside court if you fail to meet these deadlines.

Before you begin the grievance procedure, you may file an “Inmate Request” to see if you can get what you want by asking for it. If you are denied, you can begin the grievance procedure.

You must exhaust, or fully utilize, the inmate grievance procedure by completing the following three steps:

1. Informal Grievance

- ❑ You will need to start the grievance process by filing an informal grievance.
- ❑ It is very important that you file this first grievance **as soon as possible** after the event you are complaining about. If there is an unreasonable delay, you risk having your grievance rejected as untimely, which means that it is just too late.
- ❑ Use the form titled “Inmate Request” and write “Informal Grievance” at the top.
- ❑ If you are grieving an incident, you should fully describe the facts, including all names and dates that you can remember. If you are grieving the denial of an Inmate Request, you should refer to the request and the response you received. Include only one issue or complaint per grievance.
- ❑ If you suffered any physical or emotional injuries, you need to include that information in detail.
- ❑ You must request relief. This means that you need to specifically ask for what you want the DOC to do to fix the problem you are having.
- ❑ You should receive a response within 10 days. If your Grievance was denied, you can move on to the next step in the procedure, and submit a formal grievance. **You only have 15 days to file a formal grievance.**
- ❑ If you do not receive a response within 10 days, you still have the right to proceed to the next step in the process. You should file your formal grievance (see step #2 below) and explain that you already filed an informal grievance and give the date it was filed and the person to whom it was addressed. The institution should keep a log of informal grievances that they can use to verify this information.

2. Formal Grievance

- ❑ The formal grievance is the next step of the grievance process.
- ❑ Use the form titled, “Request for Administrative Remedy or Appeal” (also called a “DC1-303”).
- ❑ Address your grievance to the Warden or Assistant Warden.
- ❑ Once you receive a response to your informal grievance, you only have **15 days** to file a formal grievance.
- ❑ You should write the same thing that you wrote in your informal grievance, or state that your “informal grievance is fully incorporated herein.”
- ❑ Be sure to attach one copy of the informal grievance that was returned to you.
- ❑ Once you file your formal grievance you should get a receipt back with the grievance log number.
- ❑ If your formal grievance is denied, you can move on to the next step in the process and file an appeal. **You only have 15 days to file an appeal after you receive the response to the formal grievance.**
- ❑ If you do not receive a response to your formal grievance within 20 days, you have the right to proceed to the next step in the process (step #3 below). When you file your appeal, just reference the log number on your receipt and explain that you did not receive a response back within 20 days.

3. Appeal

- ❑ The third step in this process is to file an appeal to the Secretary.
- ❑ Use the form titled, “Request for Administrative Remedy or Appeal” or “DC1-303.” Address your grievance to the Secretary.
- ❑ After you have received a response to your formal grievance, you have **15 days** to file an appeal.
- ❑ Be sure to attach a copy of your informal grievance and your formal grievance.

Problems to watch out for:

- If your Inmate Request or any grievance is approved, but you do not receive the relief that you are promised, you should follow up with the institution and be sure you get the relief you need.
- If you receive a grievance response stating that your complaint has been referred to the Inspector General’s office for investigation, and your grievance is therefore “approved,” you should not stop there! If you are seeking any relief in addition to an investigation (such as money or a change in policy), you should proceed to the next step of the grievance procedure and ask for those things again.
- If you receive a grievance response that says you failed to comply with some procedural rule from Chapter 33, try to fix the problem and re-file. **You will only have 15 days to re-file** and you should attach a copy of the grievance that was returned to you.

If you are incarcerated in a county jail, ICE detention facility, or federal prison, these procedures do not apply. You have to follow the procedures that are specific to your facility. You should receive an inmate handbook or other orientation materials that tell you what the procedure is and how to appeal. **You must complete all appeals to exhaust the procedures, even if you are transferred to a new facility.**

appendix **C** county clerks and pro se/self-help court offices, by county

Alachua

Alachua County Courthouse
P.O. Box 600
Gainesville, FL 32602
1-352-374-3636
Fax: 1-352-338-3201
TDD: 1-352-491-4497
Family Court Case Manager: 1-352-374-3694

Baker

339 E. Macclenny Ave.
Macclenny, FL 32603
1-904-259-3121
Family Court Case Manager: 1-352-374-3665
(message line)

Bay

Bay County Courthouse
300 E. 4th St.
Panama City, FL 32401
1-850-763-9061
Fax: 1-850-747-5188
Family Court Manager: 1-850-747-5623

Bradford

945 N. Temple Ave.
P.O. Box Drawer B
Starke, FL 32091
1-904-966-6280
Fax: 1-904-966-6256
Family Court Case Manager: 1-352-374-3665
(message line)

Brevard

Pro Se Coordinator for Brevard County – all courts: 1-321-617-7254

Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, FL 32940
1-321-637-5413

400 South St., 2nd Floor
Titusville, FL 32780
1-321-637-5413

Melbourne Branch Courthouse
51 S. Nieman Ave.
Melbourne, FL 32901
1-321-637-5413

Merritt Island Office
Sheriff's Department Complex
2575 N. Courtenay Pkwy., Rm. 129
Merritt Island, FL 32953
1-321-637-5413

Palm Bay Office
450 Cogan Dr. S.E.
Palm Bay, FL 32909
1-321-637-5413

Broward

Broward County Courthouse
201 S.E. 6th St.
Fort Lauderdale, FL 33301
1-954-831-6565
Family Law: 1-954-831-5795

North Regional Courthouse
1600 W. Hillsboro Blvd.
Deerfield Beach, FL 33442
1-954-831-1453

South Regional Courthouse
3550 Hollywood Blvd.
Hollywood, FL 33021
1-954-831-0320

West Regional Courthouse
100 N. Pine Island Rd.
Plantation, FL 33317
1-954-831-3371

Calhoun

Calhoun County Courthouse
20859 Central Ave. E., Rm. 130
Blountstown, FL 32424
1-850-674-4545
Fax: 1-850-674-5553

Charlotte

Charlotte County Justice Center
350 E. Marion Ave.
P.O. Box 511687
Punta Gorda, FL 33951-1687
1-941-637-2199
Family Court Services: 1-941-505-4780
Family Law Case Management: 1-239-335-2421
Pro Se Litigant Program: 1-239-335-2247

Citrus

Inverness Courthouse
110 N. Apopka Ave.
Inverness, FL 34450
1-352-341-6400

Satellite Office – Crystal River
801 S.E. Hwy. 19
Crystal River, FL 34429
1-352-563-2900

Clay

Clay County Courthouse
825 N. Orange Ave.
P.O. Box 698
Green Cove Springs, FL 32043
1-904-269/284-6302
Family Court Services: 1-904-278-3636

Collier

Collier County Courthouse
3301 Tamiami Trail E.
Naples, FL 34112
1-239-252-2745
Fax: 1-239-252-2755
Family Law Case Management: 1-239-335-2421
Pro Se Litigant Program: 1-239-335-2247

Columbia

173 NE Hernando Ave.
Lake City, FL 32055
Mailing Address:
P.O. Box 2069
Lake City, FL 32056
1-386-758-1342
Fax: 1-386-719-7457
Family Law: 1-386-758-1055

Desoto

115 E. Oak St., Rm. 101
Arcadia, FL 34266
1-863-993-4876
Fax: 1-863-993-4669
Family Law: 1-863-993-4878
Family Law Self-Help: 1-863-993-4876

Dixie

Dixie County Courthouse
214 NE Hwy. 351
Cross City, FL
Mailing Address:
P.O. Box 1206
Cross City, FL 32628
1-352-498-1200
Fax: 1-352-498-1201

Duval

Downtown Duval County Courthouse
330 E. Bay St., Rm. 103
Jacksonville, FL 32202
1-904-630-2230
Family Court Services: 1-904-630-2111

Escambia

M.C. Blanchard Judicial Building
190 Governmental Center
Pensacola, FL 32502
1-850-595-4310
Family Law Self-Help: 1-850-595-4407

Flagler

Kim C. Hammond Justice Center
1769 E. Moody Blvd., Bldg. 1
Bunnell, FL 32110-0787
1-386-313-4400
Family Law: 1-386-313-4490

Franklin

Apalachicola Office
33 Market St., Ste. 203
Apalachicola, FL 32320
1-850-653-8861, x. 100

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Carrabelle Annex
1647 Highway 98
Carrabelle, FL 32322
1-850-697-3263

Family Law Self-Help: 1-850-414-2257

Gadsden

Gadsden County Courthouse
P.O. Box 1649
Quincy, FL 32351
1-850-875-8601

Fax: 1-850-875-8612

Family Law Assistance: 1-850-414-2257

Gilchrist

Trenton, FL 32693

1-352-463-3170

Fax: 1-352-463-3166

Family Court Case Manager: 1-352-374-3665

(message line)

Glades

500 Avenue J

P.O. Box 10

Moorehaven, FL 33471

1-863-946-6010

Fax: 1-863-946-0560

Family Law Case Management: 1-239-335-2421

Pro Se Litigant Program: 1-239-335-2247

Gulf

Gulf County Courthouse

1000 Cecil G. Costin, Sr. Blvd., Rm. 148

Port St. Joe, FL 32456

1-850-229-6112, x. 1101

Family Law: 1-850-229-6112, x. 1107

Hamilton

207 NE 1st St., Rm. 106

Jasper, FL 32052

1-386-792-1288

Fax: 1-386-792-3524

Hardee

Hardee County Courthouse

417 W. Main St.

P.O. Drawer 1749

Wauchula, FL 33873

1-863-773-4174

Fax: 1-863-773-4422

Hendry

25 E. Hickpoochee Ave.

P.O. Box 1760

Labelle, FL 33975-1760

1-863-675-5217

Fax: 1-863-675-5238

Family Court Services: 1-941-505-4780

Family Law Case Management: 1-239-335-2421

Pro Se Litigant Program: 1-239-335-2247

Hernando

Hernando County Courthouse

20 N. Main St.

Brooksville, FL 34601

1-352-754-4201

Self-Help: 1-352-540-6274

Highlands

590 S. Commerce Ave.

Sebring, FL 33870-3867

1-863-402-6565

Hillsborough

Tampa Office

George E. Edgecomb Courthouse

800 E. Twiggs St.

Tampa, FL 33602

1-813-276-8100, x. 4358

Fax: 1-813-272-6792

Brandon Office

Brandon Crossings Shopping Center

10065 E. Adamo Dr., Ste. A

Tampa, FL 33619

Southshore Office

Southshore Regional Service Center

410 30th St. S.E.

Ruskin, FL 33570

Plant City Office

Plant City Courthouse

302 N. Michigan Ave.

Plant City, FL 33563

Family Forms Clinic: 1-813-864-2280, x. 205

(recording)

Holmes

Holmes County Courthouse

201 N. Oklahoma St.

Bonifay, FL

Mailing Address:

P.O. Box

Bonifay, FL 32425

1-850-547-1100

Fax: 1-850-547-6630

Indian River

2000 16th Ave.

Vero Beach, FL 32960

Mailing Address:

P.O. Box 1028

Vero Beach, FL 32961

1-772-770-5185

Fax: 1-772-770-5008

Self-Help Program: 1-772-770-5232

Jackson

4445 Lafayette St.

Marianna, FL 32446

Mailing Address:

P.O. Drawer 510

Marianna, FL 32447

1-850-482-9552

Fax: 1-850-482-7849

Jefferson

Jefferson County Courthouse, Room 10

Monticello, FL 32344

1-850-342-0218

Fax: 1-850-342-0222

Family Law Self-Help: 1-850-414-2257

Lafayette

P.O. Box 88

Mayo, FL 32066

1-386-294-1600

Fax: 1-386-294-4231

Lake

Lake County Judicial Center

550 W. Main St.

P.O. Box 7800

Tavares, FL 32778

1-352-742-4100

Lee

Lee County Justice Center

1700 Monroe St., 2nd Floor

Ft. Myers, FL 33901

P.O. Box 2469

Ft. Myers, FL 33902

1-239-533-5000

Family Court Services: 1-239-335-2247 or 1-800-250-7451 (toll free)

Family Law Case Management: 1-239-335-2421

Pro Se Litigant Program: 1-239-335-2247

Leon

Leon County Courthouse

313 S. Calhoun St.

Tallahassee, FL 32302

1-850-577-4000

Family Law Self-Help: 1-850-414-2257

Levy

Levy County Courthouse

355 S. Court St.

P.O. Box 610

Bronson, FL 32621

1-352-486-5266

Family Court Case Manager: 1-352-374-3665

(message line)

Liberty

P.O. Box 399

Bristol, FL 32321

1-850-643-2215

Family Law Self-Help: 1-850-414-2257

Madison

125 S.W. Range Ave.
Madison, FL 32341-0237
1-850-973-1500
Fax: 1-850-973-2059

Manatee

1115 Manatee Ave. West
P.O. Box 25400
Bradenton, FL 34206
1-941-749-1800
Family Law Self-Help: 1-941-749-1800

Marion

Marion County Courthouse
110 NW 1st Ave.
Ocala, FL 34475
Mailing Address:
P.O. Box 1030
Ocala, FL 34478
1-352-671-5555
Fax: 1-352-671-5556

Martin

100 E. Ocean Blvd., Ste. 200
Stuart, FL 34994
1-772-288-5576
Fax: 1-772-288-5548
Self-Help Program: 1-772-223-4831

Miami-Dade

Miami-Dade County Courthouse
73 W. Flagler St., Ste. 242
Miami, FL 33130
1-305-275-1155
Fax: 1-305-349-7377
Family Court Self-Help Program: 1-305-349-7800

Monroe

Family Law Self-Help: 1-305-295-3643
Clerk of Courts: 1-305-292-3540, x. 3347

500 Whitehead St.
Key West, FL 33040

3117 Overseas Hwy.
Marathon, FL 33050

88820 Overseas Hwy.
Plantation Key, FL 33070

50 High Point Rd.
Plantation Key, FL 33070

Nassau

Judicial Annex
76347 Veterans Way
Yulee, FL 32097
1-904-548-4600
Family Court Services: 1-904-491-2028

Okaloosa

Okaloosa County Courthouse
101 E. James Lee Blvd.
Crestview, FL 32536
1-850-689-5000
Family Law Self-Help: 1-850-864-8561

Okeechobee

312 N.W. 3rd St.
Okeechobee, FL 34972
1-863-763-2131
Self-Help Program: 1-863-763-4749

Orange

Family Court Management: 1-407-836-6054
Clerk of Courts: 1-407-836-2007

Downtown Location
425 N. Orange Ave., Ste. 410
P.O. Box 4994
Orlando, FL 32801
1-407-836-2000

Apopka Branch
1111 N. Rock Springs Rd.
Apopka, FL 32712-2399
Fax: 1-407-254-1031

Ocoee Branch
475 W. Story Rd.
Ocoee, FL 34761
Fax: 1-407-254-6841

Winter Park Branch
450 N. Lakemont Dr.
Winter Park, FL 32792
Fax: 1-407-671-4837

Osceola

Osceola County Courthouse
2 Courthouse Square, Ste. 2000
Kissimmee, FL 34741
1-407-742-3500
Family Law: 1-407-742-3492

Family Court Management: 1-407-343-2468

Palm Beach

Self Service Center (for entire county): 1-561-355-7048

Main Courthouse
205 N. Dixie Hwy.
West Palm Beach, FL 33401
1-561-355-2996

South County Courthouse
200 W. Atlantic Ave.
Delray Beach, FL
1-561-274-1588

North County Courthouse
3188 PGA Blvd.
Palm Beach Gardens, FL
1-850-624-6650

West County Courthouse
38844 State Rd. 80
Belle Glade, FL
1-561-996-4843

Pasco

Pasco County Courthouse
38053 Live Oak Ave.
Dade City, FL 33523
1-727-847-8181

West Pasco Judicial Center
7530 Little Rd.
New Port Richey, FL 34654
1-352-521-4542

Pinellas

Clearwater Courthouse
315 Court St.
Clearwater, FL 33756
1-727-464-3267

Polk

Polk County Courthouse
255 N. Broadway Ave.
Bartow, FL 33830
1-863-534-4540
Fax: 1-863-534-4089

Putnam

410 St. Johns Ave.
Palatka, FL 32177
Mailing Address:
P.O. Box 758
Palatka, FL 32178
1-386-329-0361
Fax: 1-386-329-0888
Family Division: 1-386-329-0250 (voice mail)

Santa Rosa

Mary M. Johnson
Santa Rosa County Clerk of Court
P.O. Box 472
Milton, FL 32572
1-850-981-5535
Family Law Self-Help: 1-850-981-5586

Sarasota

Main Office
2000 Main St.
Sarasota, FL 34237
1-941-861-7400
Family Law Self-Help: 1-941-861-7400

Robert L. Anderson Administration Center
4000 S. Tamiami Trail
Venice, FL 34293
1-941-861-7400
Family Law Self-Help: 1-941-861-7400

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Seminole

Civil Courthouse
301 N. Park Ave.
Sanford, FL 32771
Mailing Address:
P.O. Box 8099
Sanford, FL 32772-8099
1-407-665-4330
Pro Se Case Managers: 1-407-665-4213 or
1-407-665-4277

St. Lucie

201 S. Indian River Dr.
Fort Pierce, FL 34950
Mailing Address:
P.O. Box 700
Ft. Pierce, FL 34954
1-772-462-6938
Self-Help Program: 1-772-462-1149

St. Johns

4010 Lewis Speedway
St. Augustine, FL 32084
1-904-819-3600
Fax: 1-904-819-3661
Family Law Self-Help: 1-904-827-5631

Sumter

Judicial Center Divisions
209 N. Florida St., Rm. 106
Bushnell, FL 33513
1-352-793-0211
Fax: 1-352-568-6608

Suwannee

200 S. Ohio/Dr. MLK, Jr. Ave.
Live Oak, FL 32064
1-386-362-0500
Fax: 1-386-362-0567

Taylor

1800 N. Jefferson St.
P.O. Box 620
Perry, FL 32347
1-850-838-3506

Union

Union County Courthouse
55 W. Main St., room 103
Lake Butler, FL 32054
1-386-496-3711
Fax: 1-386-496-1718
Family Court Case Manager: 1-352-374-3665
(message line)

Volusia

Volusia County Courthouse
101 N. Alabama Ave.
Deland, FL
Mailing Address:
P.O. Box 6043
Deland, FL 32721
1-386-736-5915
Family Law: 1-386-736-5908

Volusia County Courthouse Annex
City Island, 125 E. Orange Ave.
Daytona Beach, FL
Mailing Address:
P.O. Box 6043
Deland, FL 32721
1-386-257-6000, x. 5708
Family Law: 1-386-257-6083

Volusia County Courthouse Annex
124 N. Riverside Dr.
New Smyrna Beach, FL
Mailing Address:
P.O. Box 6043
Deland, FL 32721
1-386-423-3300, x. 5708
Family Law: 1-386-423-3304

Wakulla

Wakulla County Courthouse
3056 Crawfordville Hwy.
Crawfordville, FL 32327
1-850-926-0905
Fax: 1-850-926-0938
Family Law Self-Help: 1-850-414-2257

Walton

Walton County Courthouse
571 U.S. Hwy. 90 E.
Defuniak Springs, FL
1-850-892-8115
1-850-267-3066 (Coastal Branch office)
Family Law Self-Help: 1-800-342-0141

Washington

1293 Jackson Ave. Ste. 100
P.O. Box 647
Chipley, FL 32428-0647
1-850-638-6285
Family Law Self-Help: 1-850-747-5497

appendix d legal service providers statewide and by county

Note: Programs marked with the Legal Services Corporation symbol  cannot offer services to incarcerated individuals. They may be able to offer assistance to former prisoners or the families of prisoners.

STATEWIDE PROGRAMS

Florida Immigrant Advocacy Center
3000 Biscayne Blvd. Ste. 400, Miami, FL 33137
(305) 573-1106

Florida Institutional Legal Services, Inc.
12921 SW 1st Road, Ste. 107, #346
Newberry, FL 32669
(352) 375-2494
(888) 375-2494

Florida Justice Institute
1st Union Financial Center, Suite 2870
200 South Biscayne Blvd.
Miami, FL 33131-2310

Florida Legal Services, Inc.
2425 Torreya Drive
Tallahassee, FL 32303
(850) 385-7900

Florida Rural Legal Services – Migrant Farm Worker Unit
3210 Cleveland Avenue, Suite A
Ft. Myers, FL 33901
P.O. Box 219, Ft. Myers, FL 33902
(239) 334-4554
Clients: (800) 476-8937

BY COUNTY

ALACHUA
Three Rivers Legal Services, Inc. - Gainesville Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL 32601
(352) 372-0519
(866)-256-8091 (Toll-Free)

BAKER
Three Rivers Legal Services, Inc. - Gainesville Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL 32601
(352) 372-0519
(866)-256-8091 (Toll-Free)

BAY
Legal Services of North Florida, Inc. - Panama City Office 
221 East 23rd Street, Suite B, Panama City, FL 32405
(850) 769-3581

BRADFORD
Three Rivers Legal Services, Inc. - Gainesville Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL 32601
(352) 372-0519
(866)-256-8091 (Toll-Free)

BREVARD
Bay Area Legal Services, Inc. - Tampa 
829 W. Martin Luther King Jr. Blvd., Suite 200, Tampa, FL 33603
(813) 232-1343

Brevard County Legal Aid, Inc. - Brevard
1017 S. Florida Avenue, Rockledge, FL 32955
(321) 631-2500

Florida Immigrant Advocacy Center - Fort Pierce Office
131-B N. Second St., Fort Pierce, FL 34950
(772) 489-4660

BROWARD
Coast to Coast Legal Aid of South Florida, Inc. 
491 N. State Road 7, Plantation, FL 33317
(954) 736 - 2400

FIU College of Law Educational Advocacy Clinic
11200 SW 8th Street, RDB 1010, Miami, FL 33199
305-348-7541

Florida Immigrant Advocacy Center - Miami Office
3000 Biscayne Blvd. Ste. 400, Miami, FL 33137
(305) 573-1106

Legal Aid Service of Broward County, Inc.
491 N. State Road 7, Plantation, FL 33317
(954) 765-8950

CALHOUN
Legal Services of North Florida, Inc. - Quincy Office 
121 North Jackson Street, Quincy, FL 32351
(850) 875-9881

CHARLOTTE
Florida Rural Legal Services - Fort Myers Office 
3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Florida Rural Legal Services - Punta Gorda Office 
350 East Marion Avenue, Suite A1017 & A1018, Punta Gorda, FL 33950
(941) 505-9007

CITRUS
Community Legal Services of Mid-Florida, Inc. - Inverness Office 
1300 Highway 41 North, Suite A, Inverness, FL 34450
352-726-8512

CLAY
Jacksonville Area Legal Aid, Inc. - Clay County
3540 Highway 17, Suite 101, Green Cove Springs, FL 32043
(904) 284-8410

Jacksonville Area Legal Aid, Inc. - Jacksonville/Duval County
126 West Adams Street, Jacksonville, FL 32202
(904) 356-8371

Three Rivers Legal Services, Inc. - Jacksonville Office 
1725 Oakhurst Avenue, Suite C, Jacksonville, FL 32208
(904) 394-7450
(866)-256-8091 (Toll-Free)

COLLIER
Florida Rural Legal Services - Fort Myers Office 
3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Florida Rural Legal Services - Immokalee Office 
210 South First Street, Immokalee, FL 34143
(239) 657-3681

Legal Aid Society of Collier County, Inc. - Immokalee Office
1402 New Market Road, Suite B, Immokalee, FL 34142
(239) 657-7442

Legal Aid Society of Collier County, Inc. - Naples Office
4125 E. Tamiami Trail, Naples, FL 34112
(239) 775-4555

COLUMBIA
Three Rivers Legal Services, Inc. - Lake City Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960
(866)-256-8091 (Toll-Free)

DE SOTO

Florida Rural Legal Services - Fort Myers Office

3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Florida Rural Legal Services - Lakeland 
963 East Memorial Boulevard, Lakeland, FL
33801
(863) 688-7376

DIXIE

Three Rivers Legal Services, Inc. - Lake City
Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960
(866)-256-8091 (Toll-Free)

DUVAL

Jacksonville Area Legal Aid, Inc. - Edward
Waters College
1697 Kings Road, Jacksonville, FL 32209
(904) 356-8371

Jacksonville Area Legal Aid, Inc. - Jacksonville/
Duval County
126 West Adams Street, Jacksonville, FL 32202
(904) 356-8371

Jacksonville Area Legal Aid, Inc. - Salvation
Army Center
705 2nd Street, North, Jacksonville Beach, FL
32202
(904) 356-8371

Three Rivers Legal Services, Inc. - Jacksonville
Office 
1725 Oakhurst Avenue, Suite C, Jacksonville, FL
32208
(904) 394-7450

ESCAMBIA

Legal Services of North Florida, Inc. - Pensacola
Office 
118 South Baylen Street, Pensacola, FL 32501
(850) 432-8222

Northwest Florida Legal Services, Inc. - Main
Office 
701 South J Street, Pensacola, FL 32501
(850) 432-2336

FLAGLER

Community Legal Services of Mid-Florida, Inc. -
Bunnell Office 
604-1 E. Moody Blvd., Bunnell, FL 32110
386-437-8485

Community Legal Services of Mid-Florida, Inc. -
Cocoa Office 
803 N. Fiske Boulevard, Cocoa, FL 32922
321-636-3515

Community Legal Services of Mid-Florida, Inc. -
Daytona Office 
128 Orange Avenue, Suite 100, Daytona Beach,
FL 32114
(386) 255-6573

Community Legal Services of Mid-Florida, Inc. -
Palatka Office 
216 South 6th Street, Palatka, FL 32177
386-328-8361

FRANKLIN

Legal Services of North Florida, Inc. -
Tallahassee Office 
2119 Delta Blvd., Tallahassee, FL 32303
(850) 385-9007

GADSDEN

Legal Services of North Florida, Inc. - Quincy
Office 
121 North Jackson Street, Quincy, FL 32351
(850) 875-9881

GILCHRIST

Three Rivers Legal Services, Inc. - Gainesville
Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL
32601
(352) 372-0519

GLADES

Florida Rural Legal Services - Fort Myers Office

3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Florida Rural Legal Services - Immokalee Office

210 South First Street, Immokalee, FL 34143
(239) 657-3681

GULF

Legal Services of North Florida, Inc. - Panama
City Office 
221 East 23rd Street, Suite B, Panama City, FL
32405
(850) 769-3581

HAMILTON

Three Rivers Legal Services, Inc. - Lake City
Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960

HARDEE

Florida Rural Legal Services - Lakeland 
963 East Memorial Boulevard, Lakeland, FL
33801
(863) 688-7376

Heart of Florida Legal Aid Society, Inc.
510 S. Broadway, Suite 2, Bartow, FL 33830
(863) 519-5663

Heart of Florida Legal Aid Society, Inc. - Sebring
Office
1000 S. Highland Avenue, Sebring, FL 33870
863.519.5663

Heart of Florida Legal Aid Society, Inc. -
Wauchula Office
413 W. Orange, Wauchula, FL 33873
863.519.5663

HENDRY

Florida Rural Legal Services - Belle Glade

1500 NW Avenue L, Unit B, Belle Glade, FL
33430
(561) 993-0003

Florida Rural Legal Services - Fort Myers Office

3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Florida Rural Legal Services - Immokalee Office

210 South First Street, Immokalee, FL 34143
(239) 657-3681

HERNANDO

Community Legal Services of Mid-Florida, Inc. -
Brooksville 
51 West Fort Dade Avenue, Brooksville, FL
34601
(352) 796-7238

HIGHLANDS

Florida Rural Legal Services - Lakeland 
963 East Memorial Boulevard, Lakeland, FL
33801
(863) 688-7376

Heart of Florida Legal Aid Society, Inc.
510 S. Broadway, Suite 2, Bartow, FL 33830
(863) 519-5663

Heart of Florida Legal Aid Society, Inc. - Sebring
Office
1000 S. Highland Avenue, Sebring, FL 33870
863.519.5663

Heart of Florida Legal Aid Society, Inc. -
Wauchula Office
413 W. Orange, Wauchula, FL 33873
863.519.5663

HILLSBOROUGH

Bay Area Legal Services, Inc. - Courthouse Legal Information Center 
800 E. Twiggs Street, Tampa, FL 33602
(813) 864-2280

Bay Area Legal Services, Inc. - Hillsborough/Tampa 
829 W. Martin Luther King Jr. Blvd. Second Floor, Tampa, FL 33603
(813) 232-1343

Bay Area Legal Services, Inc. - Hillsborough/Wimauma 
18240 US 301 South, Wimauma, FL 33598
(813) 634-6044

Bay Area Legal Services, Inc. - Plant City 
701 Tillman Place, Suite 300, Plant City, FL 33566
(813) 752-1335

Bay Area Legal Services, Inc. - Tampa 
829 W. Martin Luther King Jr. Blvd., Suite 200, Tampa, FL 33603
(813) 232-1343

HOLMES

Legal Services of North Florida, Inc. - Panama City Office 
221 East 23rd Street, Suite B, Panama City, FL 32405
(850) 769-3581

INDIAN RIVER

Florida Immigrant Advocacy Center - Fort Pierce Office
131-B N. Second St., Fort Pierce, FL 34950
(772) 489-4660

Florida Rural Legal Services - Fort Pierce Office 
200 South Indian River Drive, Suite 101, Fort Pierce, FL 34950
(772) 466-4766

Florida Rural Legal Services - 19th Judicial Circuit Pro Bono Program 
200 S. Indian River Drive, Suite 101, Fort Pierce, FL 34950
772.466.4766

JACKSON

Legal Services of North Florida, Inc. - Quincy Office 
121 North Jackson Street, Quincy, FL 32351
(850) 875-9881

JEFFERSON

Legal Services of North Florida, Inc. - Tallahassee Office 
2119 Delta Blvd., Tallahassee, FL 32303
(850) 385-9007

LAFAYETTE

Three Rivers Legal Services, Inc. - Lake City Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960

LAKE

Community Legal Services of Mid-Florida, Inc. - Tavares 
226 West Main Street, Tavares, FL 32778
(352) 343-0815

LEE

Florida Rural Legal Services - Fort Myers Office 
3210 Cleveland Avenue, Fort Myers, FL 33902
(239) 334-4554

Lee County Legal Aid Society, Inc.

2211 Peck Street & Broadway, Fort Myers, FL 33901
(239) 334-6118

LEON

Legal Aid Foundation of the Tallahassee Bar Association, Inc.
Leon County Courthouse, 301 S. Monroe Street, Room 443A, Tallahassee, FL 32301
(850) 222-3004

Legal Services of North Florida, Inc. -

Tallahassee Office 
2119 Delta Blvd., Tallahassee, FL 32303
(850) 385-9007

LEVY

Three Rivers Legal Services, Inc. - Gainesville Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL 32601
(352) 372-0519

LIBERTY

Legal Services of North Florida, Inc. - Quincy Office 
121 North Jackson Street, Quincy, FL 32351
(850) 875-9881

MADISON

Three Rivers Legal Services, Inc. - Lake City Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960

MANATEE

Gulfcoast Legal Services, Inc. - Bradenton Office
430 - 12th Street West, Bradenton, FL 34205
(941) 746-6151

Legal Aid of Manasota, Inc. - Bradenton Office
1101 6th Avenue West, STE 111, Bradenton, FL 34205
(941) 747-1628

MARION

Community Legal Services of Mid-Florida, Inc. - Ocala 
222 SW Broadway Street, Ocala, FL 34474
(352) 629-0105

Legal Advocacy Center of Central Florida
222 S. W. Broadway Street, Ocala, FL, FL 34474
(352) 629-0105

MARTIN

Florida Immigrant Advocacy Center - Fort Pierce Office
131-B N. Second St., Fort Pierce, FL 34950
(772) 489-4660

Florida Rural Legal Services - Fort Pierce Office


200 South Indian River Drive, Suite 101, Fort Pierce, FL 34950
(772) 466-4766

MIAMI-DADE

FIU College of Law Educational Advocacy Clinic
11200 SW 8th Street, RDB 1010, Miami, FL 33199
305-348-7541

Florida Immigrant Advocacy Center - Miami Office
3000 Biscayne Blvd. Ste. 400, Miami, FL 33137
(305) 573-1106

Guardianship Program for Dade County, Inc.
7950 NW 53rd Street, Suite 301, Miami, FL 33166
(305) 592-7642

Legal Aid Society of Dade County Bar Association

123 N.W. 1st Avenue, Miami, FL 33128
(305) 579-5733

Legal Services of Greater Miami, Inc. -

Caribbean Boulevard Office 
10720 Caribbean Blvd., Suite 400, Miami, FL 33189
(305) 232-9680

Legal Services of Greater Miami, Inc. - Florida

City Office 
1600 N.W. 6th Court, Florida City, FL 33034
(305) 576-0080

Legal Services of Greater Miami, Inc. - Hialeah

Office 
300 East First Avenue, Room 109, Hialeah, FL 33010
(305) 576-0080

appendix d

Legal Services of Greater Miami, Inc. - Liberty City 
Miami Worker's Center, 6127 NW 7th Avenue, Miami, FL 33127
(305) 576-0080

Legal Services of Greater Miami, Inc. - Main Office 
3000 Biscayne Boulevard, Suite 500, Miami, FL 33137
(305) 576-0080

MONROE
Florida Immigrant Advocacy Center - Miami Office
3000 Biscayne Blvd. Ste. 400, Miami, FL 33137
(305) 573-1106

Legal Services of Greater Miami, Inc. - Key West Office 
600 White Street, Key West, FL 33040
(305) 292-3566

Legal Services of Greater Miami, Inc. - Main Office 
3000 Biscayne Boulevard, Suite 500, Miami, FL 33137
(305) 576-0080

NASSAU
Jacksonville Area Legal Aid, Inc. - Jacksonville/Duval County
126 West Adams Street, Jacksonville, FL 32202
(904) 356-8371

Three Rivers Legal Services, Inc. - Jacksonville Office 
1725 Oakhurst Avenue, Suite C, Jacksonville, FL 32208
(904) 394-7450

OKALOOSA
Legal Services of North Florida, Inc. - Ft. Walton Beach Office 
133 Staff Drive, Suite B, Fort Walton Beach, FL 32547
(850) 862-3279

OKEECHOBEE
Florida Immigrant Advocacy Center - Fort Pierce Office
131-B N. Second St., Fort Pierce, FL 34950
(772) 489-4660

Florida Rural Legal Services - Fort Pierce Office 
200 South Indian River Drive, Suite 101, Fort Pierce, FL 34950
(772) 466-4766

Florida Rural Legal Services - 19th Judicial Circuit Pro Bono Program 
200 S. Indian River Drive, Suite 101, Fort Pierce, FL 34950
772.466.4766

ORANGE
Community Legal Services of Mid-Florida, Inc. - Orlando Office 
1036 West Amelia Street, Orlando, FL 32805
407-841-7777

Legal Aid Society of the Orange County Bar Association, Inc.
100 East Robinson Street, Orlando, FL 32801
(407) 841-8310

Legal Aid Society of the Orange County Bar Association, Inc. - Apopka Office
Orange County Services Building 1111 N. Rock Springs Road, Room 10, Apopka, FL 32801
407.841.8310

Legal Aid Society of the Orange County Bar Association, Inc. - East Orange Office
East Orange County Service Center, 12050 E. Colonial Drive, Orlando, FL 32801
407.841.8310

Legal Aid Society of the Orange County Bar Association, Inc. - Ocoee Office
Ocoee Methodist Church 120 W. Floral Street, Ocoee, FL 32801
407.841.8310

Legal Aid Society of the Orange County Bar Association, Inc. - Washington Shores Office
Dr. James R. Smith Center, 1723 Bruton Boulevard, Orlando, FL 32801
407.841.8310

Legal Aid Society of the Orange County Bar Association, Inc. - Winter Park Office
721 W. New England Avenue, Winter Park, FL 32801
407.841.8310

OSCEOLA
Community Legal Services of Mid-Florida, Inc. - Kissimmee Office 
800 North Main Street, Kissimmee, FL 34744
407-847-0053

PALM BEACH
Florida Rural Legal Services - Belle Glade 
1500 NW Avenue L, Unit B, Belle Glade, FL 33430
(561) 993-0003

Florida Rural Legal Services - Palm Beach Office 
423 Fern Street, Suite 220, West Palm Beach, FL 33401
(561) 820-8902

Legal Aid Society of Palm Beach County, Inc.
423 Fern Street, Suite 200, West Palm Beach, FL 33401
(561) 655-8944

Legal Aid Society of Palm Beach County, Inc. - Belle Glade Office
141 South Main Street, Suite 101, Belle Glade, FL 33430
(561) 993-3836

Legal Aid Society of Palm Beach County, Inc. - Foster Children's Project
423 West Fourth Street, Suite 200, West Palm Beach, FL 33401
(561) 833-5787

PASCO
Bay Area Legal Services, Inc. - Pasco/Dade City 
37718 Meridian Avenue, Dade City, FL 33525
(352) 567-9044

Bay Area Legal Services, Inc. - Pasco/New Port Richey 
8406 Massachusetts Ave. Ste B-2, New Port Richey, FL 34653
(727) 847-5494

Bay Area Legal Services, Inc. - Tampa 
829 W. Martin Luther King Jr. Blvd., Suite 200, Tampa, FL 33603
(813) 232-1343

PINELLAS
Bay Area Legal Services, Inc. - Pinellas/St. Petersburg 
2600 Dr. Martin Luther King Jr. St. N., Suite 401, St. Petersburg, FL 33704
(727) 490.4040

Bay Area Legal Services, Inc. - Tampa 
829 W. Martin Luther King Jr. Blvd., Suite 200, Tampa, FL 33603
(813) 232-1343

Community Law Program
501 1st Ave. North, Rm 511, St. Petersburg, FL 33701
(727) 582-7402

Gulfcoast Legal Services, Inc. - Clearwater Office
314 South Missouri Avenue, Suite 109, Clearwater, FL 33756
(727) 443.0657

Gulfcoast Legal Services, Inc. - St. Petersburg Office
641 First Street South, St. Petersburg, FL 33701
727.821.0726

POLK
Florida Rural Legal Services - Lakeland 
963 East Memorial Boulevard, Lakeland, FL 33801
(863) 688-7376

Heart of Florida Legal Aid Society, Inc.
510 S. Broadway, Suite 2, Bartow, FL 33830
(863) 519-5663

Heart of Florida Legal Aid Society, Inc. - Sebring Office
1000 S. Highland Avenue, Sebring, FL 33870
863.519.5663

Heart of Florida Legal Aid Society, Inc. - Wauchula Office
413 W. Orange, Wauchula, FL 33873
863.519.5663

PUTNAM

Community Legal Services of Mid-Florida, Inc. - Bunnell Office 
604-1 E. Moody Blvd., Bunnell, FL 32110
386-437-8485

Community Legal Services of Mid-Florida, Inc. - Cocoa Office 
803 N. Fiske Boulevard, Cocoa, FL 32922
321-636-3515

Community Legal Services of Mid-Florida, Inc. - Daytona Office 
128 Orange Avenue, Suite 100, Daytona Beach, FL 32114
(386) 255-6573

Community Legal Services of Mid-Florida, Inc. - Palatka Office 
216 South 6th Street, Palatka, FL 32177
386-328-8361

SAINT JOHNS

Community Legal Services of Mid-Florida, Inc. - Cocoa Office 
803 N. Fiske Boulevard, Cocoa, FL 32922
321-636-3515

Community Legal Services of Mid-Florida, Inc. - Daytona Office 
128 Orange Avenue, Suite 100, Daytona Beach, FL 32114
(386) 255-6573

Jacksonville Area Legal Aid, Inc. - Jacksonville/ Duval County
126 West Adams Street, Jacksonville, FL 32202
(904) 356-8371

Jacksonville Area Legal Aid, Inc. - St. Johns
222 San Marco Avenue, St. Augustine, FL 32804
(904) 827-9921

Three Rivers Legal Services, Inc. - Jacksonville Office 
1725 Oakhurst Avenue, Suite C, Jacksonville, FL 32208
(904) 394-7450

SAINT LUCIE

Florida Immigrant Advocacy Center - Fort Pierce Office
131-B N. Second St., Fort Pierce, FL 34950
(772) 489-4660

Florida Rural Legal Services - Fort Pierce Office 
200 South Indian River Drive, Suite 101, Fort Pierce, FL 34950
(772) 466-4766

Florida Rural Legal Services - 19th Judicial Circuit Pro Bono Program 
200 S. Indian River Drive, Suite 101, Fort Pierce, FL 34950
772.466.4766

SANTA ROSA

Legal Services of North Florida, Inc. - Pensacola Office 
118 South Baylen Street, Pensacola, FL 32501
(850) 432-8222

Northwest Florida Legal Services, Inc. - Main Office 
701 South J Street, Pensacola, FL 32501
(850) 432-2336

Northwest Florida Legal Services, Inc. - Milton Office 
5224 Willing Street, Milton, FL 32570
(850) 432-2336

SARASOTA

Gulfcoast Legal Services, Inc. - Sarasota Office
Glasser - Schoenbaum Human Services Center
1750 17th Street, Bldg. I, Sarasota, FL 34234
(941) 366.1746

Legal Aid of Manasota, Inc. - Sarasota Office
1900 Main Street, Suite 302, Sarasota, FL 34236
(941) 366-0038

Legal Aid of Manasota, Inc. - Venice Office
7810 S. Tamiami Trail STE A6, Venice, FL 34293
(941) 492-4631

SUMTER

Community Legal Services of Mid-Florida, Inc. - Inverness Office 
1300 Highway 41 North, Suite A, Inverness, FL 34450
352-726-8512

SUWANNEE

Three Rivers Legal Services, Inc. - Lake City Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960

TAYLOR

Three Rivers Legal Services, Inc. - Lake City Office 
334 NW Lake City Avenue, Lake City, FL 32055
(386) 752-5960

UNION

Three Rivers Legal Services, Inc. - Gainesville Office 
901 NW 8th Avenue, Suite D-5, Gainesville, FL 32601
(352) 372-0519

VOLUSIA

Community Legal Services of Mid-Florida, Inc. - Cocoa Office 
803 N. Fiske Boulevard, Cocoa, FL 32922
321-636-3515

Community Legal Services of Mid-Florida, Inc. - Daytona Office 
128 Orange Avenue, Suite 100, Daytona Beach, FL 32114
(386) 255-6573

WAKULLA

Legal Services of North Florida, Inc. - Tallahassee Office 
2119 Delta Blvd., Tallahassee, FL 32303
(850) 385-9007

WALTON

Legal Services of North Florida, Inc. - Ft. Walton Beach Office 
133 Staff Drive, Suite B, Fort Walton Beach, FL 32547
(850) 862-3279

WASHINGTON

Legal Services of North Florida, Inc. - Panama City Office 
221 East 23rd Street, Suite B, Panama City, FL 32405
(850) 769-3581

appendix e

- Community Based Care Providers
- DCF Service Centers
- DCF Administrative Offices

Community Based Care Providers, by County

Alachua

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Baker

Clay & Baker Kids Net Inc.
1726 Kingsley Ave., Ste. 2
Orange Park, FL 32073
1-904-278-5644, x. 2005

Bay

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Bradford

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Brevard

Community Based Care of Brevard, Inc.
760 North Dr., Ste. A
Melbourne, FL 32934
1-321-752-4650

Broward

ChildNet, Inc.
313 N. State Rd. 7
Plantation, FL 33317
1-954-414-6000

Calhoun

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Charlotte

Children's Network of Southwest Florida
2232 Altamont Ave.
Fort Myers, FL 33901
1-239-226-1524

Citrus

Kids Central, Inc.
2117 S.W. Hwy. 284
Ocala, FL 34473
1-352-873-6332

Clay

Clay & Baker Kids Net Inc.
1726 Kingsley Ave., Ste. 2
Orange Park, FL 32073
1-904-278-5644, x. 2005

Collier

Children's Network of Southwest Florida
2232 Altamont Ave.
Fort Myers, FL 33901
1-239-226-1524

Columbia

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Dade

Our Kids of Miami-Dade/Monroe, Inc.
401 N.W. 2nd Ave., Ste. S-212
Miami, FL 33128
1-305-455-6000

De Soto

Sarasota Family YMCA, Inc.
One South School Ave., Ste. 301
Sarasota, FL 34237
1-941-366-3881

Dixie

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Duval

Family Support Services of North Florida, Inc.
4057 Carmichael Ave., 3000 Bldg., Ste. 101
Jacksonville, FL 32207
1-904-421-5800

Escambia

Lakeview Center, Families First Network
1221 W. Lakeview Ave.
Pensacola, FL 32501-1836
1-850-595-2343L

Flagler

Community Partnership for Children, Inc.
160 N. Beach St.
Daytona Beach, FL 32114
1-386-238-4900

Franklin

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Gadsden

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Glades

Children's Network of Southwest Florida
2232 Altamont Ave.
Fort Myers, FL 33901
1-239-226-1524

Gilchrist

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Gulf

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Hamilton

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Hardee

Heartland for Children
P.O. Box 1017
1239 E. Main St.
Bartow, FL 33831
1-863-519-8900, x. 201

Hendry

Children's Network of Southwest Florida
2232 Altamont Ave.
Fort Myers, FL 33901
1-239-226-1524

Hernando

Kids Central, Inc.
2117 S.W. Hwy. 284
Ocala, FL 34473
1-352-873-6332

Highlands

Heartland for Children
P.O. Box 1017
1239 E. Main St.
Bartow, FL 33831
1-863-519-8900, x. 201

Hillsborough

Hillsborough Kids, Inc.
1002 E. Palm Ave, Ste. 100
Tampa, FL 33605
1-813-225-1105 x. 102

Holmes

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Indian River

United For Families, Inc.
10570 S. Federal Hwy., Ste. 300
Port St. Lucie, FL 34952
1-7720398-2920, x. 315

appendix e

Jackson

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Jefferson

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Lafayette

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Lake

Kids Central, Inc.
2117 S.W. Hwy. 284
Ocala, FL 34473
1-352-873-6332

Lee

Children's Network of Southwest Florida
2232 Altamont Ave.
Fort Myers, FL 33901
1-239-226-1524

Leon

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Levy

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Liberty

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Madison

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Manatee

Sarasota Family YMCA, Inc.
One South School Ave., Ste. 301
Sarasota, FL 34237
1-941-366-3881

Marion

Kids Central, Inc.
2117 S.W. Hwy. 284
Ocala, FL 34473
1-352-873-6332

Martin

United For Families, Inc.
10570 S. Federal Hwy., Ste. 300
Port St. Lucie, FL 34952
1-7720398-2920, x. 315

Monroe

Our Kids of Miami-Dade/Monroe, Inc.
401 N.W. 2nd Ave., Ste. S-212
Miami, FL 33128
1-305-455-600

Nassau

Family Support Services of North Florida, Inc.
4057 Carmichael Ave., 3000 Bldg., Ste. 101
Jacksonville, FL 32207
1-904-421-5800

Okaloosa

Lakeview Center, Families First Network
1221 W. Lakeview Ave.
Pensacola, FL 32501-1836
1-850-595-2343

Okeechobee

United For Families, Inc.
10570 S. Federal Hwy., Ste. 300
Port St. Lucie, FL 34952
1-7720398-2920, x. 315

Orange

Family Services of Metro-Orlando, Inc.
2600 Technology Dr., Ste. 1129
Orlando, FL 32808
1-407-398-7975

Osceola

Family Services of Metro-Orlando, Inc.
2600 Technology Dr., Ste. 1129
Orlando, FL 32808
1-407-398-7975

Palm Beach

Child and Family Connections, Inc.
4100 Okeechobee Blvd.
West Palm Beach, FL 33409
1-561-352-2500

Pasco

Sarasota Family YMCA, Inc.
One South School Ave., Ste. 301
Sarasota, FL 34237
1-941-366-3881

Pinellas

Sarasota Family YMCA, Inc.
One South School Ave., Ste. 301
Sarasota, FL 34237
1-941-366-3881

Polk

Heartland for Children
P.O. Box 1017
1239 E. Main St.
Bartow, FL 33831
1-863-519-8900, x. 201

Putnam

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Santa Rosa

Lakeview Center, Families First Network
1221 W. Lakeview Ave.
Pensacola, FL 32501-1836
1-850-595-2343

Seminole

Community Based Care of Seminole, Inc.
117 E. Lake Mary Blvd.
Sanford, FL 32773
1-407-333-8256

Sarasota

Sarasota Family YMCA, Inc.
One South School Ave., Ste. 301
Sarasota, FL 34237
1-941-366-3881

St. Johns

St. Johns County Board of Commissioners
1955 U.S. 1 S., Ste. B-6
St. Augustine, FL 32086
1-904-209-6082

St. Lucie

United For Families, Inc.
10570 S. Federal Hwy., Ste. 300
Port St. Lucie, FL 34952
1-7720398-2920, x. 315

Sumter

Kids Central, Inc.
2117 S.W. Hwy. 284
Ocala, FL 34473
1-352-873-6332

Suwannee

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Taylor

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Union

Partnership for Strong Families
515 N. Main Street
Gainesville, FL 32601
1-352-244-1500

Volusia

Community Partnership for Children, Inc.
160 N. Beach St.
Daytona Beach, FL 32114
1-386-238-4900

Wakulla

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

Walton

Lakeview Center, Families First Network
1221 W. Lakeview Ave.
Pensacola, FL 32501-1836
1-850-595-2343

Washington

Big Bend Community Based Care, Inc.
525 N. Martin Luther King Blvd.
Tallahassee, FL 32301
1-850-410-1020

**Department of Children
and Families, Service
Centers, by county**

Alachua

16th Avenue Complex
1000 N.E. 16th Ave.
Gainesville, FL 32609
Mailing Address:
P.O. Box 390
Gainesville, FL 32602
Fax: 1-352-955-3082

Baker

Baker County Service Center
84 W. Lowder St.
Macclenny, FL 32063
Fax: 1-904-259-8159

Bay

500 W. 11th St.
Panama City, FL 32401
Fax: 1-850-747-5346

Bradford

Starke Service Center
1250 Andrews Circle
Starke, FL 32091
Fax: 1-904-964-1577

Clay

Clay County Service Center
1845 Town Center Blvd. #225
Orange Park, FL 32003
Fax: 1-904-541-3727
Fax: 1-904-541-3705

Brevard

Palm Bay ACCESS Application Center
1591 Conlan Blvd. N.E., Ste. 110
Palm Bay, FL 32905
Fax: 1-866-735-2469

Brevard County ACCESS Application Center
705 Blake Ave., Bldg. E., Room ES8
Cocoa, FL 32922
Fax: 1-866-735-2469

Broward

Central Service Center
311 N. State Rd. 7
Plantation, FL 33317§
Fax: 1-954-797-8476

North Service Center
2201 W. Sample Rd., Bldg. 9, Ste. 5-7B
Pompano Beach, FL 33073
Fax: 1-954-917-1384

South Service Center
7261 Sheridan St.
Hollywood, FL 33024
Fax: 1-954-985-4762

North Broward Regional Service Center
1400 W. Commercial Blvd., Ste. 160
Ft. Lauderdale, FL 33309
Fax: 1-954-267-2184

Calhoun

6 South Key St.
Quincy, FL 32351
Fax: 1-850-627-6548

Charlotte

Charlotte County Service Center
19500 Toledo Blade Blvd.
Port Charlotte, FL 33948
Fax: 1-941-613-2081

Citrus

Citrus County Service Center
P.O. Box 1
Wildwood, FL 34785
Fax: 1-866-886-4342

Collier

Immokalee Service Center
750 S. 5th St.
Immokalee, FL 34142
Fax: 1-239-658-3533

Naples Service Center
4532 Tamiami Trail E., Ste. 101
Naples, FL 34112
Fax: 1-239-643-9469

Columbia

Lake City Service Center
1389 W. U.S. Hwy. 90, Ste. 100
Lake City, FL 32055
Fax: 1-386-758-1453

Dixie

Chiefland Service Center
124 N. Main Street
Chiefland, FL 32626
Mailing Address:
P.O. Box 1370
Chiefland, FL 32644
Fax: 1-352-492-6788

Desoto

Arcadia One Stop Service Center
805 N. Mills Ave.
Arcadia, FL 34266
Fax: 1-863-993-4544 (regular applications)
Fax: 1-863-993-4544

Duval

Southside Service Center- Duval
3720 Beach Blvd.
Jacksonville, FL 32207
Fax: 1-904-346-5003

Westside Service Center
7579-6 103rd St.
Jacksonville, FL 32210
Fax: 1-904-573-3944

Riverside Service Center
227 Park St.
Jacksonville, FL 32204
Fax: 1-904-359-6847
Fax: 1-904-798-2754

Gateway Service Center
5000-1 Norwood Ave.
Jacksonville, FL 32209
Fax: 1904-924-1605

Franklin

201 Monument Ave.
Port St. Joe, FL 32456
Fax: 1-850-227-7508

Gadsden

6 South Key St.
Quincy, FL 32351
Fax: 1-850-627-6548

Gilchrist

Chiefland Service Center
124 N. Main Street
Chiefland, FL 32626
Mailing Address:
P.O. Box 1370
Chiefland, FL 32644
Fax: 1-352-492-6788

Escambia

Northside Service Center
8190 Pensacola Blvd.
Pensacola, FL 32534
Fax: 1-850-494-5964

appendix e

Flagler

Bunnell Service Center
105 Batcher St.
Bunnell, FL 32110
Mailing Address:
P.O. Box 294
Bunnell, FL 32110
Fax: 1-386-238-3112
Fax: 1-386-258-4419

Glades

Labelle Service Center
485 E. Cowboy Way
Labelle, FL 33935
Fax: 1-863-674-4802

Gulf

201 Monument Ave.
Port St. Joe, FL 32456
Fax: 1-850-227-7508

Hamilton

Live Oak Service Center
501 Demorest St. S.E.
Live Oak, FL 32064
Fax: 1-386-364-1612

Hardee

Wauchula Service Center
1014 S. 6th Ave.
Wauchula, FL 33873
Mailing Address:
P.O. Box 3710
Lake Wales, FL 33859-3710
Fax: 1-866-9964

Hendry

Labelle Service Center
485 E. Cowboy Way
Labelle, FL 33935
Fax: 1-863-674-4802

Hernando

Hernando County Service Center
P.O. Box 1
Wildwood, FL 34785
Fax: 1-866-886-4342

Highlands

Sebring Service Center
3276 Hwy. 27 S.
Sebring, FL 33870
Mailing Address:
P.O. Box 3710
Lake Wales, FL 33859-3710
Fax: 1-866-9964

Hillsborough

Tampa Service Center
1313 N. Tampa St., 4th Floor, Rm 104
Tampa, FL 33602
Fax: 1-813-233-2538 (regular applications)
Fax: 1-888-254-7591 (toll free)
Fax: 1-813-233-4200

Plant City Service Center
307 N. Michigan Ave.
Plant City, FL 33563
Fax: 1-813-233-2538 (regular applications)
Fax: 1-888-254-7591 (toll free)
Fax: 1-813-671-5066

Holmes

117 Waukesha St.
Bonifay, FL 32425
Fax: 1-850-547-8537

Indian River

Indian River County Service Center
1436 S. Old Dixie Hwy.
Vero Beach, FL 32960
Fax: 1-772-770-6771

Jackson

6 South Key Street
Quincy, FL 32351
Fax: 1-850-627-6548

Jefferson

757 S.W. Range Ave.
Madison, FL 32340
Fax: 1-850-973-5014

Lafayette

Live Oak Service Center
501 Demorest St. S.E.
Live Oak, FL 32064
Fax: 1-386-364-1612

Lake

Lake County Service Center
P.O. Box 1
Wildwood, FL 34785
Fax: 1-866-886-4342

Lee

Fort Myers Service Center
4150 Ford St. Extension
Fort Myeres, FL 33916
Fax: 1-239-939-8741

Leon

2810 Sharer Rd., Unit 24
Tallahassee, FL 32399
Fax: 1-850-414-5093

Levy

Chiefland Service Center
124 N. Main Street
Chiefland, FL 32626
Mailing Address:
P.O. Box 1370
Chiefland, FL 32644
Fax: 1-352-492-6788

Liberty

6 South Key St.
Quincy, FL 32351
Fax: 1-850-627-6548

Madison

757 S.W. Range Ave.
Madison, FL 32340
Fax: 1-850-973-5014

Manatee

Bradenton Service Center
4210 20th Street W.
Bradenton, FL 34205-5004
Fax: 1-941-751-8449 (adult services)
Fax: 1-941-751-8464

Marion

Childhood Development Services, Inc.
P.O. Box 1
Wildwood, FL 34785
Fax: 1-866-886-4342

Martin

Martin County Service Center
821 Martin Luther King, Jr. Blvd.
Stuart, FL 34994
Fax: 1-772-223-2530

Miami-Dade

Caleb Service Center
5400 N.W. 22nd Ave., 5th Floor
Miami, FL 33142
Fax: 1-305-636-2463

Central

1490 N.W. 27th Ave.
Miami, FL 33125
Fax: 1-305-637-2485

Coconut Grove Service Center

3750 S. Dixie Hwy.
Miami, FL 33133
Fax: 1-305-442-6816

Hialeah South Service Center

5700 N.W. 37th Ave.
Miami, FL 33010
Fax: 1-305-637-2605

Miami Beach Service Center

945 Pennsylvania Ave., Ste. 300
Miami Beach, FL 33139
Fax: 1-305-535-5411

Opa-Locka Service Center

200 Opa-Locka Blvd.
Opa Locka, FL 33054
Fax: 1-305-769-6192

Satellite Service Center

757 W. Palm Dr.
Florida City, FL 33034
Fax: 1-305-234-2200

Perrine Service Center

11241 S.W. 184th St.
Miami, FL 33157
Fax: 1-305-234-2200

University Service Center
1604 S.W. 107th Ave.
Miami, FL 33165
Fax: 1-305-227-5207

Monroe

Key West Service Center
1111 12 St.
Key West, FL 33040
Fax: 1-305-293-1684

Marathon Service Center
2796 Overseas Hwy.
Marathon, FL 33050
Fax: 1-305-289-2396

Plantation Key Service Center
88539 Overseas Hwy.
Tavernier, FL 33070
Fax: 1-305-853-3246

Nassau

Nassau County Service Center
1303 Jasmine St.
Fernandina Beach, FL 32034
Fax: 1-904-277-7270

Okaloosa

Ft. Walton Beach Service Center
340 Beal Pkwy., N.W.
Ft. Walton Beach, FL 32548-3924
Fax: 1-850-833-3841

Okeechobee

Okeechobee County Service Center
1690 N.W. 9th Ave.
Okeechobee, FL 34972
Fax: 1-863-462-5200

Orange

Orange County ACCESS Application Center
5348 Silver Star Rd.
Orlando, FL 32808
Fax: 1-866-735-2469

Kissimmee ACCESS Service Center
1507 N. John Young Pkwy.
Kissimmee, FL 34741
Fax: 1-866-735-2469

Palm Beach

Belle Glade Service Center
2990 N. Main St.
Belle Glade, FL 33430
Fax: 1-561-992-1981

Delray Beach Service Center
1845 S. Federal Hwy.
Delray Beach, FL 33483
Fax: 1-561-279-1500

Lake Worth Service Center
4220 Lake Worth Rd.
Lake Worth, FL 33461
Fax: 1-561-963-3151

Riviera Beach Service Center
2051 Martin Luther King, Jr. Blvd.
Riviera Beach, FL 33404
Fax: 1-561-841-2082

Pasco

New Port Richey Service Center
Counsel Square II
7601 Little Rd.
New Port Richey, FL 34654
Fax: 1-727-834-3923

Pinellas

North Pinellas Service Center
Mary Grizzle Building
11351 Ulmerton Rd., Ste. 130
Largo, FL 33778-1630
Fax: 1-727-588-7017 (regular applications)
Fax: 1-727-518-3396 (ICP applications)

South Pinellas Service Center
Sebring Building
525 Mirror Lake Dr., Ste. 201
St. Petersburg, FL 33701
Fax: 1-727-552-2535

Polk

Lakeland Service Center
4720 Old Hwy. 37
Lakeland, FL 33801-2030
Mailing Address:
P.O. Box 3710
Lake Wales, FL 33859-3710
Fax: 1-866-9964

Dundee Service Center
28077 U.S. Hwy. 27 S.
Dundee, FL 33838
Mailing Address:
P.O. Box 3710
Lake Wales, FL 33859-3710
Fax: 1-866-9964

Putnam

Palatka Service Center
600 College Rd.
Palatka, FL 32177
Fax: 1-386-329-3615

Santa Rosa

Northside Service Center
8190 Pensacola Blvd.
Pensacola, FL 32534
Fax: 1-850-494-5964

Sarasota

Delores G. Dry Service Center
1864-17th St.
Sarasota, FL 34234
Regular Applications: 1-941-316-8100
Fax: 1-941-316-8100

Venice One Stop Service Center
897 E. Venice Ave.
Venice, FL 34292-2038
Regular Applications: 1-941-483-5920
Fax: 1-941-483-5920

Seminole

Sanford ACCESS Service Center
2674 S. Orlando Dr.
Sanford, FL 32773
Fax: 1-866-735-2469

St. Lucie

Ft. Pierce Service Center
337 N. Hwy., U.S. 1
Ft. Pierce, FL 34950
Fax: 1-772-467-3881

Port St. Lucie Service Center
8932 S. Federal Hwy.
Port St. Lucie, FL 34952
Fax: 1-772-467-3881

St. Johns

St. Johns County Service Center
1955 U.S. 1 South
St. Augustine, FL 32086
Fax: 1-904-825-5012

Sumter

Sumter County Service Center
P.O. Box 1
Wildwood, FL 34785
Fax: 1-866-886-4342

Suwannee

Live Oak Service Center
501 Demorest St. S.E.
Live Oak, FL 32064
Fax: 1-386-364-1612

Taylor

757 S.W. Range Ave.
Madison, FL 32340
Fax: 1-850-973-5014

Union

Starke Service Center
1250 Andrews Circle
Starke, FL 32901
Fax: 1-904-964-1577

Volusia

Daytona Beach Service Center
210 N. Palmetto Ave.
Daytona Beach, FL 32114
Fax: 1-386-238-3112
Fax: 1-386-258-4419

Deland Service Center
342 E. New York Ave., Ste. B
Deland, FL 32720
Fax: 1-386-238-3112
Fax: 1-386-258-4419

Deltona Service Center
767-C Ft. Smith Blvd.
Deltona, FL 32738
Fax: 1-386-238-3112
Fax: 1-386-258-4419

New Smyrna Beach Center
Colonial Bank Bldg.
161 N. Causeway, 2nd Floor
New Smyrna Beach, FL 32168
Fax: 1-386-238-3112
Fax: 1-386-258-4419

Wakulla
2810 Sharer Rd., Unit 24
Tallahassee, FL 32399
Fax: 1-850-414-5093

Walton
Ft. Walton Beach Service Center
340 Beal Pkwy., N.W.
Ft. Walton Beach, FL 32548-3924
Fax: 1-850-833-3841

Washington
117 Waukesha St.
Bonifay, FL 32425
Fax: §1-850-547-8537

Department of Children and Families, Administrative Offices*, by district

*The purpose of the Administrative Office is to receive complaints from clients' about caseworkers, Medicaid workers, etc.

District 1 (Escambia, Santa Rosa, Okaloosa, and Walton)
160 Governmental Center
Pensacola, FL 32502
1-850-595-8200

District 2 (Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and Washington)
2639 Monroe St., Ste. 100A
Tallahassee, FL 32399-2949
1-850-488-0567

District 3 (Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Putnam, Suwannee, and Union)
1621 N.E. Waldo Rd., Box 390
Gainesville, FL 32609-0390
1-352-955-5010

District 4 (Duval, Nassau, Baker, Clay, and St. Johns)
5920 Arlington Expy.
Jacksonville, FL 32211
1-904-723-2000

District 7 (Orange, Seminole, Osceola, and Brevard)
400 W. Robinson St., S. Tower Ste. 1129
Orlando, FL 32801
1-407-245-0400

District 9 (Palm Beach)
111 S. Sapodilla Ave.
West Palm Beach, FL 33401
1-561-837-5078

District 10 (Broward)
201 W. Broward Blvd., Ste. 406
Fort Lauderdale, FL 33301
1-954-467-4298

District 11 (Miami-Dade and Monroe)
401 N.W. 2nd Ave., Ste. N1007
Miami, FL 33128
1-305-377-5055

District 12 (Flagler and Volusia)
210 N. Palmetto Ave.
Daytona Beach, FL 32114-3284
1-386-238-4750

District 13 (Citrus, Hernando, Lake, Marion, and Sumter)
1601 W. Gulf Atlantic Hwy.
Wildwood, FL 34785
1-352-330-2177

District 14 (Hardee, Highlands, and Polk)
4720 Old Hwy. 37
Lakeland, FL 33813-2030
1-863-619-4100

District 15 (Indian River, Martin, Okeechobee, and St. Lucie)
337 N. U.S. Hwy. #1
Fort Pierce, FL 34950
1-772-467-3131

Suncoast Region (Hillsborough, Pinellas, Pasco, Manatee, Sarasota, and Desoto)
9393 N. Florida Ave.
Tampa, FL 33612
1-813-558-5900

appendix f guardian ad litem programs by county

Note: Guardian Ad Litem (GAL) programs are administered in each judicial circuit. Each circuit has one main location through which its GAL program is administered. The number of the judicial circuit follows each county in parentheses. You should use the contact information listed for the county in which your child's dependency case is pending. You should clearly mark any correspondence with the name of your child's GAL, and write "Guardian Ad Litem Program" in the address to ensure it is delivered properly.

Alachua (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Baker (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Bay (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-5180

Bradford (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Brevard (18th Circuit)

Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, FL 32940
1-321-690-6823

Broward (17th Circuit)

The Justice Building
524 S. Andrew Ave., Ste. 300 E.
Ft. Lauderdale, FL 33301
1-954-831-6214

Calhoun (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-5180

Charlotte (20th Circuit)

Lee County Justice Center Annex
200 Main Street, Ste. 802
Fort Myers, FL 33901
1-239-533-0431

Citrus (5th Circuit)

223 S.W. Broadway
Ocala, FL 34471
1-352-369-2525

Clay (4th Circuit)

220 E. Bay St., 6th Floor
Jacksonville, FL 32202
1-904-630-1200

Collier (20th Circuit)

Lee County Justice Center Annex
200 Main Street, Ste. 802
Fort Myers, FL 33901
1-239-533-0431

Columbia (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720/1-386-758-1170

Dade (11th Circuit)

Juvenile Justice Center
3302 N.W. 27th Ave.
Miami, FL 33142
1-305-638-6861

De Soto (12th Circuit)

P.O. Box 48927
Sarasota, FL 34230
1-941-861-4875

Dixie (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Duval (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Escambia (1st Circuit)

1800 W. St. Mary's
Pensacola, FL 32501
1-850-595-1157

Flagler (7th Circuit)

250 N. Beach St.
Daytona Beach, FL 32114
1-386-239-7803

Franklin (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Gadsden (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Glades (20th Circuit)

Lee County Justice Center Annex
200 Main Street, Ste. 802
Fort Myers, FL 33901
1-239-533-0431

Gilchrist (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Gulf (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-5180

Hamilton (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Hardee (10th Circuit)

Polk County Courthouse
P.O. Box 9000, Drawer J-125
Bartow, FL 33831-9000
1-863-534-4605

Hendry (20th Circuit)

Lee County Justice Center Annex
200 Main Street, Ste. 802
Fort Myers, FL 33901
1-239-533-0431

Hernando (5th Circuit)

223 S.W. Broadway
Ocala, FL 34471
1-352-369-2525

Highlands (10th Circuit)

Polk County Courthouse
P.O. Box 9000, Drawer J-125
Bartow, FL 33831-9000
1-863-534-4605

Hillsborough (13th Circuit)

655 N. Franklin St., Ste. 1300
Tampa, FL 33602
1-813-272-5110

Holmes (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-5180

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Indian River (19th Circuit)

584 N.W. University Blvd., Ste. 600
Port St. Lucie, FL 34986
1-772-785-5804

Jackson (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-5180

Jefferson (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Lafayette (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720/1-386-758-1170

Lake (5th Circuit)

223 S.W. Broadway
Ocala, FL 34471
1-352-369-2525

Lee (20th Circuit)

Lee County Justice Center Annex
200 Main Street, Ste. 802
Fort Myers, FL 33901
1-239-533-0431

Leon (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Levy (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Liberty (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Madison (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Manatee (12th Circuit)

P.O. Box 48927
Sarasota, FL 34230
1-941-861-4875

Marion (5th Circuit)

223 S.W. Broadway
Ocala, FL 34471
1-352-369-2525

Martin (19th Circuit)

584 N.W. University Blvd., Ste. 600
Port St. Lucie, FL 34986
1-772-785-5804

Monroe (16th Circuit)

5503 College Rd., Ste. 206
Key West, FL 33040
1-305-292-3485

Nassau (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Okaloosa (1st Circuit)

1800 W. St. Mary's
Pensacola, FL 32501
1-850-595-1157

Okeechobee (19th Circuit)

584 N.W. University Blvd., Ste. 600
Port St. Lucie, FL 34986
1-772-785-5804

Orange County

Legal Aid Society of the Orange County Bar
Association
100 E. Robinson Street
Orlando, FL 32801
1-407-841-8310, ext.3136

Osceola (9th Circuit)

2 Courthouse Square, Ste. 3400
Kissimmee, FL 34741
1-407-343-6655

Palm Beach (15th Circuit)

PBC Courthouse, RM 5.1130
205 N. Dixie Hwy.
West Palm Beach, FL 33401
1-561-355-2773

Pasco (6th Circuit)

14250 49th St.
Clearwater, FL 33762
1-727-464-6528

Pinellas (6th Circuit)

14250 49th St.
Clearwater, FL 33762
1-727-464-6528

Polk (10th Circuit)

Polk County Courthouse
P.O. Box 9000, Drawer J-125
Bartow, FL 33831-9000
1-863-534-4605

Putnam (7th Circuit)

250 N. Beach St.
Daytona Beach, FL 32114
1-386-239-7803

Santa Rosa (1st Circuit)

1800 W. St. Mary's
Pensacola, FL 32501
1-850-595-1157

Seminole (18th Circuit)

Juvenile Justice Center
190 N. Bush Blvd.
Sanford, FL 32773
1-407-665-5370

Sarasota (12th Circuit)

P.O. Box 48927
Sarasota, FL 34230
1-941-861-4875

St. Johns (7th Circuit)

250 N. Beach St.
Daytona Beach, FL 32114
1-386-239-7803

St. Lucie (19th Circuit)

584 N.W. University Blvd., Ste. 600
Port St. Lucie, FL 34986
1-772-785-5804

Sumter (5th Circuit)

223 S.W. Broadway
Ocala, FL 34471
1-352-369-2525

Suwannee (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Taylor (3rd Circuit)

213 E. Howard St.
Live Oak, FL 32604
1-386-364-7720
1-386-758-1170

Union (8th Circuit)

105 S.E. 1st St., Ste. 7
Gainesville, FL 32601
1-352-374-3656

Volusia (7th Circuit)

250 N. Beach St.
Daytona Beach, FL 32114
1-386-239-7803

Wakulla (2nd Circuit)

315 S. Calhoun St., Ste. 800
Tallahassee, FL 32301
1-850-488-7612

Walton (1st Circuit)

1800 W. St. Mary's
Pensacola, FL 32501
1-850-595-1157

Washington (14th Circuit)

P.O. Box 2466
Panama City, FL 32402
1-850-747-51

appendix g Florida's Court System

District Courts of Appeal

First DCA:

1st, 2nd, 3rd, 4th, 8th, and 14th Circuits

Second DCA:

6th, 10th, 12th, 13th, and 20th Circuits

Third DCA:

11th and 16th Circuits

Fourth DCA:

15th, 17th, and 19th Circuits

Fifth DCA:

5th, 7th, 9th, and 18th Circuits

Circuit Courts

1st Circuit: Escambia, Okaloosa, Santa Rosa, and Walton

2nd Circuit: Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla

3rd Circuit: Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor

4th Circuit: Clay, Duval, Nassau

5th Circuit: Citrus, Hernando, Lake, Marion, Sumter

6th Circuit: Pasco, Pinellas

7th Circuit: Flagler, Putnam, St. Johns, Volusia

8th Circuit: Alachua, Baker, Bradford, Gilchrist, Levy, Union

9th Circuit: Orange, Osceola

10th Circuit: Hardee, Highlands, Polk

11th Circuit: Dade

12th Circuit: DeSoto, Manatee, Sarasota

13th Circuit: Hillsborough

14th Circuit: Bay, Calhoun, Gulf, Holmes, Jackson, Washington

15th Circuit: Palm Beach

16th Circuit: Monroe

17th Circuit: Broward

18th Circuit: Brevard, Seminole

19th Circuit: Indian River, Martin, Okeechobee, Saint Lucie

20th Circuit: Charlotte, Collier, Glades, Hendry, Lee

Supreme Court of Florida

Highest Appellate Court in Florida

Types of Cases this Court Hears:

- *Mandatory Appeals
 - *Death Penalty Cases (From Circuit Courts)
 - *DCA Decisions Invalidating a FL Statute or Const. provision
- *Discretionary Appeals
 - *DCA Decisions validating a FL Statute or Const. provision
 - *DCA Decisions that conflict with another DCA
 - *DCA Decisions certified to be of great public importance
 - *Questions of law with no precedent by the FL Supr. Ct.

District Courts of Appeal

Intermediate Appellate Courts

Types of Cases these Courts Hear

- *Appeals from Circuit Courts

Appeals go to Supreme Court of Florida

Circuit Courts of Florida

Courts of General Jurisdiction (Trial Courts)

Types of Cases these Courts Hear:

- *Felonies
- *Misdemeanor Appeals
- *Torts, Contracts, Real Property (More than \$15,000)
- *Mental Health, Probate/Estate, Civil Appeals
- *Juvenile Cases
- *Domestic Relations

Appeals go to either District Court or Supreme Court of Florida

Dependency Cases Start Here

County Courts of Florida

Courts of Limited Jurisdiction

Types of Cases these Courts Hear:

- *Misdemeanors
- *Preliminary Hearings
- *Traffic violations
- *Tort Contract Cases
- *Small Claims (Up to \$5,000)
- *Real Property (From \$5,001 to \$15,000)

Appeals go to Circuit Courts of Florida

glossary

Abandonment- In legal terms, “abandonment” means that even though you could have given money to support your child, and could have talked to him/her regularly, you chose not to. If you are making efforts to speak to your child, write to your child, and be a part of your child’s life while you are incarcerated, you have not *legally* abandoned your child.

Adoption- Adoption is the legal procedure through which a child permanently becomes part of a family other than his or her birth family. An adoption establishes a legal parent-child relationship between the adoptive parents and a child that is identical to the legal biological parent-child relationship.

Adjudicated dependent- When a judge has determined that a child’s parents cannot care for him or her, and that the state must take responsibility for the child’s well-being, that child has been adjudicated dependent.

Affidavit- An affidavit is a formal sworn statement that is signed under oath. When someone makes a statement that is recorded and sworn to as an affidavit, they are swearing that everything in the statement is true. If they make a false statement in an affidavit, they could face perjury charges just as they could if they lied in court.

Alimony- Alimony is the money that a court can order one spouse to pay the other during a separation or after a divorce. Alimony is different from child support because it is money that goes to the husband or wife, and not to the child.

Appeal- After a court or agency has made a decision on your case (or grievance, etc.), you may appeal the decision if you do not agree with it. Generally, there are very strict deadlines and requirements for bringing appeals, both in court and through administrative procedures. In an appeal, only certain parts of a case or grievance may be considered. You should check all rules for appeals whether you are in court or in administrative proceedings.

Caregiver- As used in this Manual, a caregiver is the person who is taking care of your child while you are incarcerated or unable to care for your child. A caregiver may be a friend, family member, or foster parent.

Case Plan- A case plan, sometimes called a reunification plan, is a document developed by DCF and the parent of a child that has been adjudicated dependent that lists what the parent must do to end the state’s custody of the child. Case plans can include requirements such as stable housing, financial stability, parenting classes, substance abuse counseling and testing, and no new law violations for a period of time.

Child- A person under the age of 18 is considered a minor child.

Child support- Child support is money that a court orders a parent to pay for the benefit of their child when they are not the primary caregiver of the child. Payments may be made to the government or caregiver of the child. Child support orders are NOT suspended while you are incarcerated. Child support payments become the child's when they are due, and you can lose many things including your driver's license and federal income tax returns if you fail to pay child support, regardless of the reason.

Civil Court- Civil court is the court where non-criminal cases are resolved. Family law issues, small claims issues, landlord/tenant issues, contract disputes, as well as federal civil rights claims are all matters that are tried in civil court. Some civil cases have judges and juries, but other civil cases have different procedures.

Criminal Court- Criminal court is the court where people are tried by the state for violation of criminal laws. Criminal court cases can be for misdemeanors or felonies. In criminal court, the government prosecutes the case against the defendant.

Custody- Custody of a child is the legal designation of who has the right to care and control the child. When parents share custody, one parent may have primary custody if the child is with them most of the time. Sometimes, one parent may have sole custody. While this means that the other parent needs permission to visit the child, the parent who does not have custody can usually petition the court to reconsider the arrangement if circumstances have changed. If the state has custody of a child, the state is responsible for caring for the child and acts as the parent in the eyes of the law.

Department of Children and Families (DCF)- The Department of Children and Families (DCF) is a state agency that administers a number of programs that benefit children and families in Florida. The programs include medicaid, food stamps, temporary cash assistance, and other benefits for needy families. In addition, DCF is the agency responsible for investigating reports of abuse and neglect, overseeing foster care and dependency programs, and monitoring compliance with case plans.

Department of Corrections (DOC)- The Department of Corrections (DOC) is the state agency that runs Florida's prison system, including work release facilities and certain community supervision/probation programs. Generally, people who are convicted of felonies and sentenced to more than one year will be placed in DOC custody. County jails are NOT part of the DOC.

Default- When you fail to meet a deadline for the court, submit required paperwork, appear at a hearing, or respond to a motion, you may be found to be in "default." Often, you can "consent by default," which means that by failing to participate in the proceedings, you are consenting to the demands of the other party or giving up your rights.

Dependent- When the state decides that the parents are unable to care properly for their child, the child may be declared “dependent,” meaning that the state has assumed primary responsibility for the child’s wellbeing. In order to be declared dependent, there are several court proceedings that take place including several hearings at which a parent may assert her right to be heard by the court.

Divorce- Divorce is known as the dissolution of a marriage by a court. This means that a marriage is legally undone by the court, and the issues of property, child custody, as well as many other legal matters are settled in the final divorce order.

Family Court- Family court is the term that is used to apply to all issues involving divorce, child custody, child support, paternity, dependency, and other issues related to marriage, children, and family issues. In Florida, the courts in many jurisdictions try to keep all civil matters involving related issues and the same family members before the same judge for the duration of the cases.

Guardian ad litem- A guardian ad litem is a person, appointed by the court, who acts as a representative for a child who is in a difficult or dangerous family situation. A guardian ad litem visits with the child, learns about the case and the child’s life, and makes recommendations to the court about what would be in the child’s best interests. The purpose of a guardian ad litem is to be an independent voice for the child in court proceedings.

Hearing- A hearing is a time set for the parties and their representatives to speak to the judge in open court about pending disputes in a case.

Immigration and Customs Enforcement (ICE)- Immigration and Customs Enforcement (ICE) is one of the largest branches of the U.S. Department of Homeland Security. ICE monitors non-citizens and is charged with detaining and deporting non-citizens who have an illegal immigration status. If you are not a U.S. citizen, you should be aware of ICE and its policies. Felony convictions may impact your immigration status even if you are documented.

Motion- A motion is a formal request to a court that it make a specific ruling or take a specific action in a case. Generally, if you want the court to do something, you must file a motion with the court, and deliver a copy of that motion to the opposing party. Motions can also be made orally at a hearing before a judge.

Notary Public- A notary is someone who is legally appointed to witness signatures and administer oaths. Many of the documents and forms that you will need to sign must be in the presence of a notary. Notaries must see identification and place a stamp on any document they witness. If you are in prison, you may not be able to keep a notarized copy of legal documents, so have them ready to mail out when you have them notarized.

Notice- The legal term “notice” means information that is given to the court or to a party about a case. Generally, if you are a party to a case, you are entitled to notice, which means that you must be notified when someone files something in the case, or when a court makes a decision or holds a hearing. You must have time to respond after you have been notified, but this time for response may be brief.

Order- An “order” is a decision by a court on a motion. Orders can be in writing or presented orally by the court at a hearing. Court orders are directives by the court that are legally binding and direct what is permitted or required of the parties. If an order is a “final order,” it determines the end of a case, such as a final order of termination of parental rights. Final orders can always be appealed.

Parental rights- “Parental rights,” in legal terms, mean all of the legal rights and obligations that go along with being the parent of a child. These rights can include the right to legal and physical custody, the right to physical access or visitation, and the right to consent to medical care and treatment. The obligations can include the obligation to provide financial support, the obligation to care for and supervise the child, and the obligation to protect the child and provide a safe living environment for the child. Unless you have had your parental rights terminated in a judicial proceeding, you retain the right to petition the family court to exercise your parental rights.

Permanency Plan- A permanency plan is set up by the court at a permanency hearing once a child has been adjudicated dependent. The purpose of a permanency plan is to lay out the long-term goals for your child’s care. Permanency plans can include plans for reunification, long term relative custody, adoption, or any other arrangements the court deems in your child’s best interests.

Power of attorney- “Power of Attorney” is a document that you sign giving another person the legal ability to act on your behalf. You can give someone the ability to make medical decisions on your behalf if you are incapacitated, sell your house, pay your bills, or sign certain legal documents on your behalf. A power of attorney document can be very powerful and should only be given to someone you completely trust because when they sign on your behalf, you are legally liable.

Probate court- Probate courts determine the validity of wills and estates, and monitor formal guardianships.

Revoke- The legal term “revoke” means to cancel, or take back. When a legal document is revoked, it no longer has any legal force, and things return to the way they would had the document never existed.

Service- The legal term “service” means the delivery of “notice” to an opposing party. Generally, when you are filing a petition or other motion with the court, you must “serve” the opposing party. Service is how parties receive “notice.” Different jurisdictions and courts have different rules on service, so check your local rules for requirements for mailing, hand delivery, certified mail, or other requirements.

Shelter- A “shelter” is a place DCF can house a child removed from a home. It is a placement with a responsible adult, or in a licensed home or DCF facility. A “shelter hearing” happens immediately after a child is removed from the home, and is a hearing where the court will hear evidence, and may hear from the parent or caregiver, in order to determine whether the child should be allowed to stay in the home.

Termination of parental rights- The legal term for the court order that severs your legal ties to your child. If your parental rights are terminated, you will be like a stranger to your child in the eyes of the law. If the state is seeking to terminate your parental rights, you have a right to an attorney and a right to participate in the legal proceedings. You cannot “conditionally” terminate your rights, which means that once your rights have been terminated, regardless of what you want to happen to your children, you will no longer have any say in what happens to your children.

Undocumented person- An “undocumented person” is any person who has entered the United States without government permission, or has stayed longer than temporarily allowed. If you are not a U.S. citizen, but are in the U.S. legally, you may be considered undocumented if you have lost your papers.

Unfit parent- If a court determines that you have abused, abandoned, or neglected your child, you *may* have been found to be an unfit parent. If you have been found to be unfit, you may face additional obstacles regaining custody and control of your children on release. You may also face termination of parental rights proceedings.

Verified Petition- A “verified petition” is truthful and accurate and is sworn before a notary or other taker of oaths.

Waiver- If you sign or agree to a “waiver,” you are giving up a right that you have. Most often, you are asked to “waive” your right to notice, which means that you are giving up your right to be notified of hearings and court decisions. You should carefully read any waiver you are asked to sign and understand completely what right(s) you are giving up before signing any waiver.