

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.948(d)
MOTION TO MODIFY OR TERMINATE TEMPORARY GRANT OF
CUSTODIAL RESPONSIBILITY OR LIMITED CONTACT DURING
DEPLOYMENT
(07/20)**

When should this form be used?

This form should be used when you are asking the court to modify or terminate a temporary grant of custodial responsibility during deployment. The Motion must be consistent with the Servicemembers Civil Relief Act, 50 U.S.C. ss. 3902-4043. The Motion may be filed by the **Deploying Parent**, the **Other Parent**, or any **Nonparent** who was granted caretaking authority. A temporary grant of custodial modification or limited contact, and any modification, is temporary and terminates 30 days after the Deploying Parent gives notice of his/her return from deployment to the Other Parent, unless the temporary grant of custodial responsibility or limited contact has been terminated before that time by court order

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. A military member may sign before a military officer authorized to administer oaths. You should **file** the Motion in the case where the Order Granting Temporary Custodial Responsibility During Deployment was entered. You should file the original with the **clerk of the circuit court** and keep a copy for your records.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically; however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. **The rules and procedures should be carefully read and followed.**

What should I do next?

For your case to proceed, you must certify that you have sent a copy of the Motion to all the other parties, including any Nonparty granted caretaking authority. If you have filed all of the required papers, you may contact the clerk of court, family law intake staff or the judicial assistant to set a hearing. You must notify the other party(ies) of the hearing by using a **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form.

Where can I look for more information?

Before proceeding, you should read “General Information for Self-Represented Litigants” found at the beginning of these forms. The words that are in “**bold underline**” in these instructions are defined there. For further information, see sections 61.703-61.773, Florida Statutes.

IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. **You must strictly comply with the format requirements set forth in the Rules of Judicial Administration.** If you elect to participate in electronic service, which means serving or receiving pleadings by electronic mail (e-mail), or through the Florida Courts E-Filing Portal, you **must** review Florida Rule of Judicial Administration 2.516. You may find this rule at www.flcourts.org through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL; HOWEVER, THEY ARE NOT REQUIRED TO DO SO. If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

Special notes

Nonlawyer. Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of a **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

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

Case No.: _____

Division: _____

Petitioner,

and

Respondent.

**MOTION TO MODIFY OR TERMINATE TEMPORARY GRANT OF
CUSTODIAL RESPONSIBILITY OR LIMITED CONTACT DURING
DEPLOYMENT**

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

1. I am the _____ Deploying Parent _____ Other Parent
_____ Nonparent granted caretaking authority or limited contact.
2. On *{date}* _____ the Court entered an Order Granting Temporary Custodial
Responsibility During Deployment. The Order _____ did _____ did not adopt an Agreement Granting
Temporary Custodial Responsibility During Deployment.
3. The Order Granting Temporary Custodial Responsibility During Deployment _____ has _____ has not
been modified since its entry.
4. Paragraph(s) _____ of the most recent order, entered _____,
describes the present caretaking authority, decisionmaking authority, and any grant of limited contact
with the children. A copy of the most recent order is attached. .

5. I ask the Court to: *{Choose only one}*

_____ Terminate the Order Granting Temporary Custodial Responsibility During Deployment

_____ Modify the Order Granting Temporary Custodial Responsibility During Deployment, as follows:

{explain} _____

_____.

6. The termination or modification of the Order Granting Temporary Custodial Responsibility During Deployment is in the best interest of the child(ren) because: *{explain}*

_____.

7. The modification is temporary and terminates 30 days after the Deploying Parent gives notice of his/her return from Deployment to the Other Parent, unless the parties agree otherwise in writing, or the temporary grant of custodial responsibility has already been terminated by court order.

8. Other: _____

_____.

CERTIFICATE OF SERVICE

I certify that a copy of this Motion to Modify or Terminate Temporary Grant of Custodial Responsibility or Limited Contact to Nonparent During Deployment was _____ mailed _____ faxed and mailed _____ e-mailed _____ hand-delivered to the parties and any entities listed below on {date}_____.

{Signature}

Deploying Parent or his/her attorney

Name _____
Address: _____
City, State, Zip: _____
Fax Number: _____
Designated E-Mail Address(es) _____

Other Parent or his/her attorney

Name _____
Address: _____
City, State, Zip: _____
Fax Number: _____
Designated E-Mail Address(es) _____

Nonparent or his/her attorney

Name _____
Address: _____
City, State, Zip: _____
Fax Number: _____
Designated E-Mail Address(es) _____

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

Dated: _____

Signature
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____
Designated E-mail Address(es): _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and subscribed before me by means of _____ physical presence or
_____ online notarization this _____ day of _____, {year} _____ by
{name of person making statement} _____

NOTARY PUBLIC, DEPUTY CLERK, or MILITARY OFFICER
AUTHORIZED TO ADMINISTER OATHS

[Print, type, or stamp commissioned name of notary]

_____ Personally known

_____ Produced identification

Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:

[fill in **all** blanks] This form was prepared for the _____ Petitioner _____ Respondent _____ Nonparent.

This form was completed with the assistance of:

{name of individual} _____,
{name of business} _____,
{address} _____,
{city} _____, {state} _____, {zip code} _____, {telephone number} _____.