

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.970(d),
WAIVER OF SERVICE OF PROCESS AND CONSENT FOR CONCURRENT
CUSTODY BY EXTENDED FAMILY
(06/21)**

This form is to be completed and signed by a parent who agrees to grant **concurrent custody** of a minor child or child(ren) to an **extended family member** and who agrees to waive **service** of process. Service of process occurs when a summons and a copy of the petition (or other pleading) that has been filed with the court are delivered by a deputy or private process server. "Concurrent custody" means that an eligible extended family member is awarded custodial rights to care for a child or children concurrently with the child(ren)'s parent or parents.

An **Extended Family Member** is:

A relative of a minor child within the third degree by blood or marriage to the parent;

OR

The stepparent of a minor child if the stepparent is currently married to the parent of the child and is not a party in a pending dissolution, separate maintenance, domestic violence, or other civil or criminal proceeding in any court of competent jurisdiction involving one or both of the child(ren)'s parents as an adverse party;

OR

An individual who qualifies as "fictive kin." As defined in section 39.01, Florida Statutes, fictive kin means a person unrelated by birth, marriage, or adoption who has an emotionally significant relationship, which possesses the characteristics of a family relationship, to a child.

This form should be typed or printed in black ink. After completing this form, you should sign the form before a **notary public** or **deputy clerk**. You should **file** the original with the **clerk of the circuit court** in the county where the **Petition for Concurrent Custody by Extended Family**, Florida Supreme Court Approved Family Law Form 12.970(b) is filed and keep a copy for your records.

IMPORTANT INFORMATION REGARDING E-FILING

The Florida Rules of General Practice and 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 General Practice and 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.**

Special notes...

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 **must** also 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.

Instructions for Florida Supreme Court Approved Family Law Form 12.970(d), Waiver of Service of Process and Consent for Concurrent Custody by Extended Family (06/21)

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

Case No: _____

IN RE: THE INTEREST OF

Division: _____

Children

_____,
Petitioner,
and
_____,
Respondent/_____,

_____,
Respondent/_____.

WAIVER OF SERVICE OF PROCESS AND CONSENT FOR CONCURRENT CUSTODY BY EXTENDED FAMILY

I, {full legal name}_____, the legal parent of {children's names}_____, having received a copy of the Petition for Concurrent Custody by Extended Family filed herein and waived service of process, freely and voluntarily consent to the Petition filed by {Petitioner's Name}_____.

I realize that by signing this document, I am consenting to the Petitioner having temporary concurrent custody of the minor children and that such concurrent custody is in the best interest of the children. Upon entry of an Order, the Petitioner shall be able to:

1. Consent to all necessary and reasonable medical and dental care for the children, including nonemergency surgery and psychiatric care;
2. Secure copies of the child(ren)'s records, held by third parties, that are necessary for the care of the children, including, but not limited to:
 - a. Medical, dental, and psychiatric records;
 - b. Birth Certificates and other records; and
 - c. Educational records.
3. Enroll the children in school and grant or withhold consent for the children to be tested or placed in special school programs, including exceptional education; and
4. Do all other things necessary for the care of the children.

I realize that the concurrent custody of my children by the Petitioner is temporary and that I may, at any time, petition the court to terminate the order granting concurrent custody. I understand and acknowledge that I may have to comply with a reasonable transition plan prior to the court returning full custody to me.

Dated: _____

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

STATE OF FLORIDA
COUNTY OF _____

Sworn to or affirmed and signed before me by means of *{choose one}* _____ physical presence or
_____ online notarization on _____ by *{name of person making statement}*
_____.

NOTARY PUBLIC OR DEPUTY CLERK

*{Print, type, or stamp commissioned name of notary or
deputy clerk.}*

____ Personally known
____ Produced identification
Type of identification produced _____

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

[fill in **all** blanks] This form was prepared for the *{choose only one}* _____ Petitioner _____ Respondent.
This form was completed with the assistance of:

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