

SUPREME COURT OF FLORIDA

In re Amendments to the Florida Supreme Court Approved Family Law Forms—12.913(a)(3)

No. SC18-696 (Fla. June 21, 2018) · No. SC18-696 · Decided June 21, 2018

SUMMARY

The Florida Supreme Court adopted new Florida Supreme Court Approved Family Law Form 12.913(a)(3), concerning notice of action for termination of parental rights and stepparent adoption, and amended several existing family law forms. The amendments became effective immediately upon release of the opinion and were published for public comment.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Labarga; Justice Pariente; Justice Lewis; Justice Quince; Justice Canady; Justice Polston; Justice Lawson
JURISDICTION	Florida
DECIDED	June 21, 2018
DOCKET	SC18-696
DISPOSITION	other
PROCEDURAL POSTURE	Original proceeding in which the Supreme Court of Florida internally reviewed the Florida Supreme Court Approved Family Law Forms and considered amendments and a new form.
PRECEDENTIAL VALUE	Published Supreme Court of Florida opinion adopting and amending approved family-law forms; the Court expressly disclaimed any opinion on the forms' correctness or applicability.

TOPICS

family law procedure adoption termination of parental rights service of process civil procedure

PRACTICE AREAS

family law civil procedure adoption termination of parental rights

QUESTIONS PRESENTED

1. Whether the Supreme Court of Florida should amend the identified Florida Supreme Court Approved Family Law Forms and create form 12.913(a)(3).
2. Whether the new form 12.913(a)(3) should be adopted for use in obtaining constructive service in termination-of-parental-rights and stepparent-adoption proceedings.

HOLDINGS

1. The Supreme Court of Florida adopted amendments to forms 12.902(j), 12.913(a)(2), 12.913(a)(3), 12.915, 12.921, 12.924, and 12.980(h), and created new form 12.913(a)(3), as set forth in the appendix.
2. The amendments and new form became effective immediately upon release of the opinion, and the forms were directed to be published for comment for sixty days.

KEY QUOTATIONS

“The amendments to the forms shall become effective immediately upon the release of this opinion and may be accessed and downloaded from the Florida State Courts’ website at <http://www.flcourts.org/resources-and-services/court-improvement/family-courts/family-law-forms.stml>.” (at 2)

“By adoption of the new and amended forms, we express no opinion as to their correctness or applicability.” (at 2)

FACTUAL BACKGROUND

The Supreme Court of Florida conducted an internal review of its approved family-law forms under procedures established in an earlier administrative proceeding. The Advisory Workgroup on the Florida Supreme Court Approved Family Law Forms provided input. Based on that review, the Court determined that amendments to existing forms and development of a new form were needed.

PROCEDURAL HISTORY

Pursuant to procedures previously approved by the Court, the Court reviewed the existing family-law forms with input from the Advisory Workgroup on the Florida Supreme Court Approved Family Law Forms. The Court adopted amendments to several existing forms and created form 12.913(a)(3), effective immediately, while directing that the forms be published for public comment.

DISPOSITION

other

CASES CITED

- Amendments to the Florida Family Law Rules of Procedure & Family Law Forms, 810 So. 2d 1, 13-14 (Fla. 2000)