

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Amanda Lee Lawler v. Brian Patrick Lawler

No. 3D24-1428 · No. 3D24-1428 · Decided June 4, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed a temporary order permitting the father to relocate the parties’ minor children to South Carolina pending a final hearing. The court held that competent substantial evidence supported the temporary placement with the father and his blended family, and that the father’s relocation petition sufficiently referenced the existing parenting plan to substantially comply with statutory requirements.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Fernandez, J.; Scales, J.; Bokor, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	June 4, 2025
DOCKET	3D24-1428
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from non-final orders of the Circuit Court for Monroe County temporarily permitting the father to relocate the parties' minor children to South Carolina pending a final hearing.
STANDARD OF REVIEW	Child-custody decisions are reviewed for abuse of discretion and affirmed when supported by competent, substantial evidence. Issues involving statutory interpretation and application are reviewed de novo.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Amanda Lee Lawler v. Brian Patrick Lawler

TOPICS

- relocation
- child custody
- appellate jurisdiction
- statutory interpretation
- standard of review

PRACTICE AREAS

- family law
- appellate procedure
- child custody
- relocation
- statutory interpretation

QUESTIONS PRESENTED

1. Whether the father's supplemental petition to relocate was legally insufficient because it did not include a revised postrelocation schedule and transportation proposal under section 61.13001(3)(a)(6), Florida Statutes.
2. Whether the trial court abused its discretion by temporarily permitting relocation without first conducting an evidentiary hearing.
3. Whether competent, substantial evidence supported the temporary relocation based on the children's best interests.

HOLDINGS

1. The father's relocation petition was not legally insufficient under section 61.13001(3)(a)(6) because, unlike the petition in Vanderhoof, it referenced and proposed maintaining the previously ordered parenting and timesharing plan.
2. The trial court did not commit reversible error by temporarily permitting the relocation without first conducting an evidentiary hearing.
3. The trial court did not abuse its discretion in temporarily permitting the father to relocate the children to South Carolina pending a final hearing because the order was supported by competent, substantial evidence and detailed best-interest findings.

KEY QUOTATIONS

“A RESPONSE TO THE PETITION OBJECTING TO RELOCATION MUST BE MADE IN WRITING, FILED WITH THE COURT, AND SERVED ON THE PARENT OR OTHER PERSON SEEKING TO RELOCATE WITHIN 20 DAYS AFTER SERVICE OF THIS PETITION TO RELOCATE. IF YOU FAIL TO TIMELY OBJECT TO THE RELOCATION, THE RELOCATION WILL BE ALLOWED, UNLESS IT IS NOT IN THE BEST INTERESTS OF THE CHILD, WITHOUT FURTHER NOTICE AND WITHOUT A HEARING.” (8)

FACTUAL BACKGROUND

The parties' two minor children had lived with the father in the Florida Keys since birth and with the father's blended family. The father, an active-duty Coast Guard member, received orders relocating him to Charleston, South Carolina, which would reduce the distance and driving time between the parents' households. The father's supplemental relocation petition sought to maintain the existing timesharing arrangement under which the children would reside with him for 305 days per year. The mother objected to the relocation after the statutory deadline.

PROCEDURAL HISTORY

The parties divorced in 2022 under a parenting plan providing for flexible equal timesharing. The mother unsuccessfully sought relocation to Jacksonville, Florida, and the trial court later entered a supplemental final order giving the father 305 overnights. After the father received Coast Guard orders to Charleston, South Carolina, he filed a supplemental petition to relocate, and the trial court temporarily permitted the relocation

without conducting an evidentiary hearing. The mother objected after the statutory twenty-day period and appealed the non-final relocation orders.

DISPOSITION

affirmed

CASES CITED

- Ward v. Waters, 389 So. 3d 652, 654 (Fla. 3d DCA 2024)
- Rossman v. Profera, 67 So. 3d 363, 365 (Fla. 4th DCA 2011)
- Hardwick v. Hardwick, 710 So. 2d 124, 125 (Fla. 4th DCA 1998)
- Vanderhoof v. Armstrong, 383 So. 3d 868, 872 (Fla. 5th DCA 2024)
- Mata v. Mata, 75 So. 3d 341 (Fla. 3d DCA 2011)
- Vaelizadeh v. Hossaini, 174 So. 3d 579 (Fla. 4th DCA 2015)

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