

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

This form is to be completed and signed by a parent who agrees to grant temporary custody of a minor child or child(ren) to an **extended family member** and 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.

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 Temporary Custody by Extended Family**, Florida Supreme Court Approved Family Law Form 12.970(a) 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.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

IN THE INTEREST OF

\_\_\_\_\_  
Children

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent/\_\_\_\_\_

\_\_\_\_\_  
Respondent/\_\_\_\_\_.

### WAIVER OF SERVICE OF PROCESS AND CONSENT FOR TEMPORARY CUSTODY BY EXTENDED FAMILY

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

I realize that by signing this document, I am consenting to the Petitioner having temporary legal custody of the minor children and that such temporary 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 children's records, held by third parties, that are necessary for the care of the child(ren), 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 custody of my children by the Petitioner is temporary and that I may, at any time, petition the court to return legal custody to me. I understand and acknowledge that I may have to comply with a reasonable transition plan prior to the court returning legal 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}* \_\_\_\_\_

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