

Supreme Court of Florida

No. SC16-1288

IN RE: AMENDMENTS TO THE FLORIDA SUPREME COURT APPROVED FAMILY LAW FORMS.

[September 29, 2016]

PER CURIAM.

Pursuant to the procedures approved by this Court in Amendments to the Florida Family Law Rules of Procedure & Family Law Forms, 810 So. 2d 1, 14 (Fla. 2000), this Court has internally reviewed the Florida Supreme Court Approved Family Law Forms and has determined that amendments to form 12.912(a), Memorandum for Certification of Military Service, are needed. Input on this issue was received from the Advisory Workgroup on the Florida Supreme Court Approved Family Law Forms, which provided valuable assistance. We have jurisdiction. See art. V, § 2(a), Fla. Const.

The amendments to form 12.912(a) update the contact information for the various military branches to which the form must be sent. The amendments also

add a sentence near the end of the first paragraph of the instructions informing litigants that although the contact information is current as of the effective date of the form, it is subject to change. A single source website and telephone number are also added for use if a litigant has difficulty obtaining the certificate or needs additional information.¹

The amended form is adopted as set forth in the appendix to this opinion, fully engrossed, effective for immediate use. The form may also be accessed and downloaded from the Florida State Court's website at <http://www.flcourts.org/resources-and-services/court-improvement/problem-solving-courts/family-courts/family-law-forms.stml>. By adoption of the amended form, we express no opinion as to its correctness or applicability. We also direct that the amended form be published for comment. Interested persons shall have sixty days from the date of this opinion to file comments with the Court.²

1. Other minor amendments are made to the instructions to this form.

2. All comments must be filed with the Court on or before November 28, 2016, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Portal in accordance with In re: Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal, Fla. Admin. Order No. AOSC13-7 (Feb 18, 2013). If filed by a non-lawyer or a lawyer not licensed to practice in Florida, the comment must be electronically filed via e-

It is so ordered.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,
and PERRY, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE
EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceeding – Florida Supreme Court Approved Family Law Forms

mail in accordance with In re Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004). Electronically filed documents must be submitted in Microsoft Word 97 or higher. Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY
LAW FORM 12.912(a)
MEMORANDUM FOR CERTIFICATE OF MILITARY SERVICE (09/16)**

When should this form be used?

This form should be used if you **KNOW OR DO NOT KNOW** whether the other party in your case is on active duty in a branch of the military service of the United States. "Active duty" includes reserve personnel of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and members of the Florida National Guard who have been called to active duty for more than thirty (30) days. Even if you believe that the other party **has never** or **would never** join the military, you must show the court proof that he or she is not a member of the military. Therefore, you may need to use this form to provide the court with such proof. See the instructions for an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), for additional information. Please note that the contact information below is correct as of the effective date of this form; however, it may be subject to change. If you have difficulty obtaining the certificates or need additional information, you may wish to contact Military One Source at <https://www.militaryonesource.mil/> or 800.824.9647.

Servicemembers Civil Relief Act (SCRA) Certificates:

For information on obtaining certificates of service or non-service under the Servicemembers Civil Relief Act (SCRA)(formerly known as Soldiers' and Sailors' Civil Relief Act of 1940), please refer to the Defense Manpower Data Center (DMDC) SCRA website: <https://www.dmdc.mil/appj/scra> .

You may also write the DMDC at the following address:

Defense Manpower Data Center [Attn: Military Verification]
1600 Wilson Blvd., Suite 400
Arlington, VA 22209-2593
Telephone: 703.696.6762

You may be charged a service fee by each military service branch for its response. Please refer to the websites and/or phone numbers listed below for help in determining the amount of each military branch's fee and to verify its current mailing address.

COAST GUARD: USCG Commander, Personnel Service Center, Attn: PSD-MR, 4200 Wilson Blvd., Suite 1100, Arlington, VA 22203 Phone -866.772.8724
<http://uscg.mil/psc/bops>.

AIR FORCE: HQ AFPC/DS1W, Attn: World Wide Locator, 550 C Street, West, Suite 50, JBSA-Randolph AFB, TX 78150-4752, Phone: 210.565.266.
www.afpc.af.mil/library/airforcelocator.asp

Instructions for Florida Supreme Court Approved Family Law Form 12.912(a), Memorandum for Certificate of Military Service (09/16)

NAVY: Navy World Wide Locator, Navy Personnel Command, PERS 1, 5720 Integrity Drive, Millington, TN 38055-3120, Phone: 901.874.5111. <http://public.navy.mil/bupers-npc/organization/npc/csc/Pages/NavLocatorService.aspx>

MARINE CORPS: Headquarters, United States Marine Corps, Personnel Management Support Branch (MMSB-17), 2008 Elliot Road, Room 201, Quantico, VA 22134 Phone: 703.784.3941
hqmc.marines.mil/agencies

PUBLIC HEALTH SERVICE: Attn: Director, Division of Commissioned Corps Officer Support, 1101 Wooten Parkway, Plaza Level, Suite 100, Rockville, MD 20852
<https://www.dmdc.osd.mil/appj/scra/>

ARMY: www.dmdc.osd.mil/

This form should be typed or printed in black ink. You should complete this form for each branch of the United States' military listed above, and mail the form to each branch with a **check for the appropriate amount and a stamped, self-addressed envelope**. You should keep a copy of the form for your records. After you have received a verification of military status from each branch, you will need to attach those verifications to an **Affidavit of Military Service**, Florida Supreme Court Approved Family Law Form 12.912(b), for filing with the clerk.

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.**

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.

Instructions for Florida Supreme Court Approved Family Law Form 12.912(a), Memorandum for Certificate of Military Service (09/16)

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...

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 **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.

Dated: _____

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

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.

This form was completed with the assistance of:

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