

Supreme Court of Florida

No. SC20-873

**IN RE: AMENDMENTS TO FLORIDA RULE OF JUDICIAL
ADMINISTRATION 2.420, THE FLORIDA RULES OF JUVENILE
PROCEDURE, AND FLORIDA RULE OF APPELLATE PROCEDURE
FORM 9.900(f)—2020 JOINT FAST-TRACK REPORT.**

July 2, 2020

PER CURIAM.

The Florida Bar’s Rules of Judicial Administration Committee (RJA Committee) and Juvenile Court Rules Committee (JCR Committee) have filed a joint “fast-track” report proposing amendments to the Florida Rules of Judicial Administration and Florida Rules of Juvenile Procedure in response to recent legislation. *See* Fla. R. Jud. Admin. 2.140(e). We have jurisdiction¹ and adopt the proposed amendments with minor modifications discussed herein.² We also amend a Florida Rule of Appellate Procedure form, on our own motion, to conform

1. *See* art. V, § 2(a), Fla. Const.

2. Minor technical corrections to several of the rule and form amendments proposed by the JCR Committee are not discussed.

with a proposed amendment to a Rule of Juvenile Procedure form and the relevant legislation.

BACKGROUND

“In 2004, the Constitution of the State of Florida was amended to include Article X, Section 22, permitting the Legislature to provide for parental notice of termination of a minor’s pregnancy.” *In re Amends. to Fla. Rules of Juv. Pro. and Fla. Rules of App. Pro.—Judicial Waiver of Parental Notice of Termination of Pregnancy*, 907 So. 2d 1161, 1162 (Fla. 2005). In response to that constitutional amendment, the 2005 Florida Legislature passed chapter 2005-52, Laws of Florida, creating section 390.01114, Florida Statutes (2019), the Parental Notice of Abortion Act. *In re Amends.*, 907 So. 2d at 1162. The Parental Notice of Abortion Act requires parental notification before a minor may obtain an abortion but provides that a minor may petition the circuit court to obtain a judicial waiver of the notification requirement. *Id.* Following the passage of the legislation, this Court adopted the necessary rules and forms applicable to such proceedings. *Id.*

The Legislature has now passed Florida CS for CS for SB 404, amending section 390.01114(5) to require, in addition to the existing notice requirement, parental consent to the termination of pregnancy procedure performed on a minor. Additionally, as relevant here, Florida CS for CS for SB 406 created section 390.01118(1), Florida Statutes, to make confidential and exempt from the public’s

right to access under article I, section 24(a) of the Florida Constitution any information held by a circuit or appellate court that could be used to identify a minor who petitions the court for a waiver from the statutory requirement that a parent or legal guardian consent to the termination. The new legislation is effective on July 1, 2020. Fla. SB 404, § 6 (2020); Fla. SB 406, § 3 (2020).

In response to the new legislation, the RJA Committee proposes amending Florida Rule of Judicial Administration 2.420 (Public Access to and Protection of Judicial Branch Records). The JCR Committee proposes amending Florida Rules of Juvenile Procedure 8.805 (Commencement of Proceedings), 8.810 (Petition), 8.815 (Counsel), 8.820 (Hearing), 8.830 (Transcripts), 8.835 (Confidentiality of Records), and 8.987 (Petition for Judicial Waiver of Parental Notification of Termination of Pregnancy), as well as forms 8.988 (Sworn Statement of True Name and Pseudonym), 8.990 (Final Order Granting Petition for Judicial Waiver of Parental Notice of Termination of Pregnancy), 8.991 (Final Order Dismissing Petition for Judicial Waiver of Parental Notice of Termination of Pregnancy), and 8.992 (Minor's Petition to Chief Judge to Require a Hearing on Her Petition for Judicial Waiver of Notice).

The Executive Committee of the Board of Governors of The Florida Bar approved the Committees' proposals by a vote of 10-0-1. The RJA and JCR Committees did not publish the proposals before filing them with the Court. After

considering the Committees’ proposals and the relevant legislation, we amend the Florida Rules of Judicial Administration and Florida Rules of Juvenile Procedure as proposed by the Committees with minor modifications. Additionally, on our own motion, we amend Florida Rule of Appellate Procedure form 9.900(f) (Notice of Appeal of an Order Dismissing a Petition for a Judicial Waiver of Parental Notice of Termination of Pregnancy and Advisory Notice to Minor) to conform with an amendment to Rule of Juvenile Procedure form 8.991 and to the legislative changes to section 390.01114. The more significant amendments are discussed below.

AMENDMENTS

First, we amend Rule of Judicial Administration 2.420(d)(1)(B) (Procedures for Determining Confidentiality of Court Records), which lists the information in court records that the clerk of court must designate and maintain as confidential. *See In re Amends. to Fla. Rule of Jud. Admin. 2.420–2017 Fast-Track Report*, 233 So. 3d 1022 (Fla. 2018). Rule 2.420(d)(1)(B)(vii) currently lists “[i]nformation that can be used to identify a minor petitioning for a waiver of parental notice when seeking to terminate pregnancy” under section 390.01116 as one of the categories of court records the clerk of court must keep confidential. New section 390.01118(1) provides that “[a]ny information that can be used to identify a minor who is petitioning a circuit court for a judicial waiver” is “[c]onfidential and

exempt from [section] 119.07(1) and [section] 24(a), [article] I of the [Florida] Constitution, if held by a circuit court or an appellate court.” Accordingly, we amend rule 2.420(d)(1)(B)(vii) by adding the phrases “or guardian” and “or consent” to reflect the legislative changes.

Additionally, we amend Rules of Juvenile Procedure 8.805 (Commencement of Proceedings), 8.810 (Petition), and 8.820 (Hearing) by adding language regarding consent to the existing language pertaining to notice to encompass the two separate matters for which a pregnant minor may now seek a waiver. We similarly amend the forms to also include language regarding waivers for consent. For example, we amend the title of form 8.987 to read: “Petition for Judicial Waiver of Parental Consent to or Notification of and Consent to Termination of Pregnancy.” Also, in addition to the JCR Committee’s proposed changes to form 8.988 (Sworn Statement of True Name and Pseudonym), we further amend paragraph three of the form, which references form 8.987, to reflect the amended title of form 8.987. Additionally, we have revised the JCR Committee’s proposed amendments to the title of the petition in form 8.992 to read: “Minor’s Petition to Chief Judge to Require a Hearing on Her Petition for Judicial Waiver of Consent or Notice and Consent.” Lastly, due to the renumbering of subdivisions in section 390.01114, we replace statutory references throughout the Rules of Juvenile Procedure with “law.”

Furthermore, we also amend, on our own motion, Florida Rule of Appellate Procedure form 9.900(f) (Notice of Appeal of an Order Dismissing a Petition for a Judicial Waiver of Parental Notice of Termination of Pregnancy and Advisory Notice to Minor). One of the amendments to Florida Rule of Juvenile Procedure form 8.991 amends the title of Rule of Appellate Procedure form 9.900(f), as referenced in form 8.991, to reflect the legislative changes. Thus, to conform with the legislative changes, and for consistency with the amendments to form 8.991, we amend the title of form 9.900(f) to read: “Notice of Appeal of an Order Dismissing a Petition for Judicial Waiver of Parental Consent to or Notice of and Consent to Termination of Pregnancy and Advisory Notice to Minor.” We also similarly amend the case style, the notice section, paragraph one, and paragraph five of form 9.900(f) to include consent.

CONCLUSION

Accordingly, the Florida Rules of Judicial Administration, the Florida Rules of Juvenile Procedure, and the Florida Rules of Appellate Procedure are amended as reflected in the appendix to this opinion. New language is indicated by underscoring; deletions are indicated by struck-through type. The amendments shall take effect immediately upon the release of this opinion. Because the amendments were not published for comment prior to their adoption, interested

persons shall have seventy-five days from the date of this opinion in which to file comments with the Court.³

It is so ordered.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ, and COURIEL, JJ., concur.

3. All comments must be filed with the Court on or before September 15, 2020, with a certificate of service verifying that a copy has been served on the Committee Chairs, Michael Jeffrey Korn, Chair, Rules of Judicial Administration Committee, Korn & Zehmer, P.A., 501 Riverside Avenue, Suite 903, Jacksonville, Florida 32202-4940, mkorn@kornzehmer.com, Matthew Charles Wilson, Chair, Juvenile Court Rules Committee, Children's Legal Services, 160 West Government Street, Suite 701, Pensacola, Florida 32502-5735, matthew.wilson@myflfamilies.com, and Hon. Stephanie Williams Ray, Chair, Appellate Court Rules Committee, First District Court of Appeal, 2000 Drayton Drive, Tallahassee, Florida 32399-0001, rays@1dca.org, and on the Bar Staff Liaisons to the Committees, Krys Godwin, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, kgodwin@floridabar.org, and Mikalla Andies Davis, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, mdavis@floridabar.org, 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. The Committee Chairs have until October 6, 2020, to file a response to any comments filed with the Court. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (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 nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Comments filed via the Portal must be submitted in Microsoft Word 97 or higher. *See In re Electronic Filing in the Florida Supreme Court*, Fla. Admin. Order No. AOSC17-27 (May 9, 2017). 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.

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

Original Proceeding – Florida Rules of Judicial Administration, Florida Rules of Juvenile Procedure, and Florida Rules of Appellate Procedure

Michael Jeffrey Korn, Chair, Jacksonville, Florida, Honorable Josephine Gagliardi, Past Chair, Rules of Judicial Administration Committee, Fort Myers, Florida; Matthew Charles Wilson, Chair, Pensacola, Florida, Linda McGrady Berman, Past Chair, Rules of Juvenile Procedure Committee, Fort Lauderdale, Florida; Hon. Stephanie Williams Ray, Chair, Appellate Court Rules Committee, Tallahassee, Florida; and Joshua E. Doyle, Executive Director, Krys Godwin and Mikalla Andies Davis, Bar Liaisons, The Florida Bar, Tallahassee, Florida,

for Petitioners

APPENDIX

RULE 2.420. PUBLIC ACCESS TO AND PROTECTION OF JUDICIAL BRANCH RECORDS

(a) – (c) [No Change]

(d) Procedures for Determining Confidentiality of Court Records.

(1) The clerk of the court shall designate and maintain the confidentiality of any information contained within a court record that is described in subdivision (d)(1)(A) or (d)(1)(B) of this rule. The following information shall be maintained as confidential:

(A) [No Change]

(B) except as provided by court order, information subject to subdivision (c)(7) or (c)(8) of this rule that is currently confidential or exempt from section 119.07, Florida Statutes, and article I, section 24(a) of the Florida Constitution as specifically stated in any of the following statutes or as they may be amended or renumbered:

(i) - (vi) [No Change]

(vii) Information that can be used to identify a minor petitioning for a waiver of parental or guardian notice or consent when seeking to terminate pregnancy. §§ 390.01116, 390.01118, Fla. Stat.

(viii) - (xxiii) [No Change]

(2) – (5) [No Change]

(e) – (m) [No Change]

Committee Note

[No Change]

2007 Court Commentary

[No Change]

RULE 8.805. COMMENCEMENT OF PROCEEDINGS

(a) **Petition to Be Filed.** Proceedings for a judicial waiver of parental consent or notice of and consent to termination of pregnancy shall be commenced by the filing of a petition in circuit court.

(b) – (c) [No Change]

(d) **Procedures Upon Filing Petition.** Upon the filing of a petition, the clerk of the circuit court shall immediately:

(1) [No Change]

(2) provide the minor with a certified copy of Form 8.988, Sworn Statement of True Name and Pseudonym;

(3) provide the minor with Form 8.989, Advisory Notice to Minor;

(4) – (5) [No Change]

(e) **Fees and Costs.** No filing fees or court costs shall be assessed against any pregnant minor who petitions a court for a waiver of parental consent or notice.

RULE 8.810. PETITION

The petition shall include:

(a) – (b) [No Change]

(c) a statement that the minor is pregnant and consent or notice and consent has not been waived;

(d) a statement that the minor desires to terminate her pregnancy without consent from or notice to and consent from a parent or legal guardian; and

(e) a short and plain statement of facts to establish any of the following:

(1) [No Change]

(2) The minor is a victim of child abuse or sexual abuse by one or both of her parents or a legal guardian.

(3) Consent from or notification of a to and consent from the parent or legal guardian is not in the best interests of the minor.

RULE 8.815. COUNSEL

As provided by ~~section 390.01114(4)(a), Florida Statutes~~law, the circuit court shall advise the minor that she has a right to court-appointed counsel ~~and shall provide her with counsel upon her request~~ at no cost. The court shall, upon request, provide counsel for the minor at least 24 hours before the court proceeding.

RULE 8.820. HEARING

(a) **Hearing by Judge.** A judge shall conduct an informal hearing on the petition within the time limits provided by law and these rules. General magistrates and special magistrates shall not hear a petition for a judicial waiver ~~of parental notice of termination of pregnancy.~~

(b) [No Change]

(c) **Burdens of Proof.**

(1) [No Change]

(2) A finding that the minor is a victim of child abuse or sexual abuse inflicted by one or both of her parents or a legal guardian requires proof by a preponderance of the evidence.

(3) A finding that consent from or notification of a to and consent from a parent or legal guardian is not in the best interests of the minor requires proof by clear and convincing evidence.

(d) **Time Limits.** As provided by ~~section 390.01114(4)(b), Florida Statutes~~law:

(1) – (3) [No Change]

(e) **Confidentiality of Hearings.** Hearings under this part shall be closed to the public and all records thereof shall remain confidential as provided by ~~sections 390.01114(4)(e) and 390.01116, Florida Statutes~~law. Persons other than the petitioner may be permitted to attend the hearing at the request of the

petitioner. The court shall advise all persons in attendance that the hearing is confidential. Subject to a judge's availability as required under law, hearings held under this part must be held in chambers or in a similarly private and informal setting within the courthouse.

RULE 8.830. TRANSCRIPTS

A court that conducts proceedings pursuant to these rules shall provide for a written transcript of all testimony and proceedings as provided by ~~section 390.01114(4)(e), Florida Statutes~~law.

RULE 8.835. CONFIDENTIALITY OF RECORDS

(a) As provided by ~~section 390.01116, Florida Statutes~~law, any information including the petition, documents, transcripts, recordings of cases, and any other information that could be used to identify a minor who has petitioned the court for a judicial waiver of parental notice of termination of pregnancy is confidential and exempt from section 119.07(1), Florida Statutes, and section 24(a), Article I, of the State Constitution.

(b) [No Change]

FORM 8.987.

PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTIFICATION OF AND CONSENT TO TERMINATION OF PREGNANCY

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

In the Interest of (pseudonym or initials of minor)

Case No.:

Division:

PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTICE OF AND CONSENT TO TERMINATION OF PREGNANCY

I certify that the following information is true and correct:

- (1) The pseudonym or initials of the minor (is/are), and the minor has filed a Sworn Statement of True Name and Pseudonym with the clerk.
- (2) The minor is years old.
- (3) The minor is pregnant and parental notice or consent has not been waived.
- (4) The minor desires to terminate her pregnancy without notice consent consent and notice [check which applies]

to a parent or legal guardian for one or more of the following reasons:

[check all that apply]

..... a. The minor is sufficiently mature to decide whether to terminate her pregnancy, for the following reason(s):

..... b. The minor is a victim of child abuse or sexual abuse inflicted by one or both of her parents or a legal guardian.

..... c. Notification of a parent or legal guardian is not in the best interests of the minor, for the following reason(s):

.....
.....

(5) The minor requests that the court enter an order authorizing her to consent to the performance or inducement of a termination of pregnancy without notification of a parent or legal guardian.

(6) The minor requests the appointment of an attorney to represent her in this matter:

[check one]

..... yes

..... no

(7) The minor elects the following method or methods for receiving notices of hearings or other court actions in this case:

..... Through a third party whose name is and whose address and phone number for purposes of notice are,

..... The minor will contact the office of the clerk of court at the following phone number

I understand that by signing this form I am swearing to or affirming the truthfulness of the claims made in this petition and that the punishment for knowingly making a false statement includes fines, imprisonment, or both.

Signature: _____

Date:

(You may sign a name other than your true name, such as Jane Doe or other pseudonym under which your petition is being filed.)

FORM 8.988. SWORN STATEMENT OF TRUE NAME AND PSEUDONYM

SWORN STATEMENT OF TRUE NAME AND PSEUDONYM

NOTICE TO THE CLERK OF COURT: A CERTIFIED COPY OF THIS DECLARATION WITH THE CASE NUMBER NOTED ON IT SHALL BE GIVEN TO THE MINOR AFTER SHE SIGNS IT.

THE ORIGINAL SHALL IMMEDIATELY BE PLACED IN A SEALED ENVELOPE WHICH SHALL BE FILED UNDER SEAL AND KEPT UNDER SEAL AT ALL TIMES.

(1) My true name is _____, and my address is _____.

(print your name)

(print your address)

(2) My date of birth is _____.

(3) I have filed a Petition for Judicial Waiver of Parental Consent to or Notice of and Consent to Termination of Pregnancy under the name or initials _____ on _____.
(date)

I understand that by signing this form I am swearing to or affirming the truthfulness of the information herein and that the punishment for knowingly making a false statement includes fines, imprisonment or both.

Dated: _____

Signature: _____

(You must sign your true name.)

FORM 8.990. FINAL ORDER GRANTING PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTICE OF AND CONSENT TO TERMINATION OF PREGNANCY

FINAL ORDER GRANTING PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTICE OF AND CONSENT TO TERMINATION OF PREGNANCY

THIS CAUSE having come before the court on a petition for judicial waiver of parental consent or notice of and consent to termination of pregnancy and the court being otherwise advised in the premises, finds the following:

..... The minor has proven by clear and convincing evidence that she is sufficiently mature to decide whether to terminate her pregnancy, for the following reason(s):

The court has considered the following factors in reaching this decision that the minor is sufficiently mature to decide whether to terminate her pregnancy and makes the following findings:

The minor's age is

The minor's overall intelligence indicates

The minor's emotional development and stability indicates

The minor's credibility and demeanor as a witness indicates

The minor's ability to accept responsibility is demonstrated by

The minor's ability to assess both the immediate and long-range consequences of the minor's choices is demonstrated by

The minor's ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision is indicated by

Whether there may be any undue influence by another on the minor's decision to have an abortion.

..... The minor has proven by a preponderance of the evidence that she is a victim of child abuse or sexual abuse inflicted by one or both of her parents or a legal guardian, for the following reason(s):

.....
.....
.....
.....
.....

The court, having made a finding under this section, will report the abuse as is required by section 39.201, Florida Statutes.

..... The minor has proven by clear and convincing evidence that notification of consent from OR notification of and consent from a parent or legal guardian is not in the best interests of the minor, for the following reason(s):

.....
.....
.....

THEREFORE, it is ORDERED AND ADJUDGED that:

1. The petition for judicial waiver of parental notice consent notice and consent of termination of pregnancy is GRANTED.
2. The minor may consent to the performance or inducement of a termination of pregnancy without notice to a parent or legal guardian.
3. The clerk shall keep and maintain a confidential record of these proceedings as provided by ~~section 390.01116, Florida Statutes~~ law, and shall seal the record.

DONE AND ORDERED in the court in and for County, Florida, on(date).....

Judge

FORM 8.991.

FINAL ORDER DISMISSING PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTICE OF AND CONSENT TO TERMINATION OF PREGNANCY

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

In the interest of _____
(pseudonym or initials of minor)

Case no. _____
Division: _____

FINAL ORDER DISMISSING PETITION FOR JUDICIAL WAIVER OF PARENTAL CONSENT TO OR NOTICE OF AND CONSENT TO TERMINATION OF PREGNANCY

THIS CAUSE having come before the court on a petition for judicial waiver of parental consent to or notice of and consent to termination of pregnancy and the court being otherwise advised in the premises, finds the following:

..... It was not proven by clear and convincing evidence that the minor is sufficiently mature to decide whether to terminate the pregnancy; specifically, the court has considered the following factors in reaching this decision and makes the following findings:

The minor's age is:

The minor's overall intelligence indicates:

.....
.....

The minor's emotional development and stability indicate:

.....
.....

The minor's credibility and demeanor as a witness indicates:

.....
.....

The minor's ability to accept responsibility is demonstrated by:

.....
.....

The minor's ability to assess both the immediate and long-range consequences of the minor's choices is demonstrated by:

.....
.....

The minor's ability to understand and explain the medical risks of terminating her pregnancy and to apply that understanding to her decision is indicated by:

.....
.....

The minor's decision to have an abortion may have been made under any undue influence by another is indicated by:

.....
.....

..... It was not proven by the preponderance of the evidence that the petitioner is the victim of child abuse inflicted by one or both of her parents or her legal guardian;

..... It was not proven by clear and convincing evidence that notification of consent from OR notice to and consent from the parent or legal guardian is not in the best interests of the petitioner;

..... Other: _____

THEREFORE, it is ORDERED AND ADJUDGED that:

1. The petition for judicial waiver of parental consent to or notice of and consent to termination of pregnancy is DISMISSED.
2. The court shall provide a written transcript of all testimony and proceedings as provided by ~~section 390.01114, Florida Statutes~~law.
3. The clerk shall keep and maintain a confidential record of these proceedings as provided by ~~sections 390.01114 and 390.01116, Florida Statutes~~law, and shall seal the record.
4. The clerk shall immediately provide Form 9.900(f) Notice of Appeal of an Order Dismissing a Petition for Judicial Waiver of Parental Consent to or Notice of and Consent to Termination of Pregnancy and Advisory Notice to Minor to the minor or petitioner if other than the minor.

DONE AND ORDERED in the court in and for County, Florida, on(date).....

Judge

FORM 8.992.

MINOR'S PETITION TO CHIEF JUDGE TO REQUIRE A HEARING ON HER PETITION FOR JUDICIAL WAIVER OF CONSENT OR NOTICE AND CONSENT

MINOR'S PETITION TO CHIEF JUDGE TO REQUIRE A HEARING ON HER PETITION FOR JUDICIAL WAIVER OF CONSENT OR NOTICE AND CONSENT

I,(name)....., hereby petition the chief judge of this judicial circuit for an order directing the judge to whom this case is assigned to hold a hearing within 48 hours after receipt of this petition by the chief judge, and requiring the court to enter an order on my petition for judicial waiver of consent or notice and consent within 24 hours after the hearing.

In support of this petition, I say:

My petition for judicial waiver of notice was filed with the Clerk on(date).....

The third business day from the date of filing my petition was(date).....

I have not requested an extension of time for the hearing required to be conducted.

No hearing has been conducted by the court within the time required by statute.

WHEREFORE, I ask the chief judge to enter an order requiring the hearing on the petition for judicial waiver to be conducted within the next 48 hours, and requiring the court to enter its order within 24 hours after that hearing.

Signature: _____

Date: _____

Time: _____

[to be stamped by Clerk]

RULE 9.900. FORMS

(a) – (e) [No Change]

(f) **Notice of Appeal of an Order Dismissing a Petition for a Judicial Waiver of Parental Consent to or Notice of and Consent to Termination of Pregnancy and Advisory Notice to Minor.**

IN THE CIRCUIT COURT FOR THE
____ JUDICIAL CIRCUIT (NUMERICAL
DESIGNATION OF THE CIRCUIT) IN
AND FOR _____
COUNTY, FLORIDA

Case No. _____

In re: Petition for a Judicial)
Waiver of Parental Consent to)
or Notice of and Consent to)
Termination of Pregnancy.)
)
)
_____)
(Your pseudonym or initials)
)
Appellant.)
_____)

NOTICE OF APPEAL

NOTICE IS GIVEN that(your pseudonym or initials)....., appeals to the(District Court of Appeal with appellate jurisdiction)....., the order of this court rendered(enter the date that the order was filed on the clerk’s docket)..... [See rule 9.020(h)]. The nature of the order is a final order dismissing a petition for a judicial waiver of parental consent to or notice of and consent to termination of pregnancy.

Signature: _____
(As signed on your petition for judicial
waiver if you are representing yourself)
Date: _____

OR

Attorney for _____
(pseudonym or initials of appellant)
(address, e-mail address, and phone number
of attorney)
Florida Bar No. _____

ADVISORY NOTICE TO THE MINOR

YOU ARE NOTIFIED AS FOLLOWS:

1. You are entitled to appeal the order dismissing your petition for a judicial waiver of parental consent to or notice of and consent to termination of pregnancy. You do not have to pay a filing fee for the appeal.

2. If you wish to appeal, you must file a notice of appeal. A form for the notice of appeal (Fla. R. App. P. 9.900(f)) will be provided to you with the order dismissing your petition. You must fill in every blank on the form with the information requested. If you need assistance with the form, the clerk of the circuit court will help you complete it.

3. You must file the notice of appeal with the clerk of the circuit court where your case was heard. The notice of appeal must be filed within thirty (30) days of the date when the judge's written order dismissing your petition was filed with the clerk of the circuit court. If you do not file your notice of appeal within this time period your appeal will not be heard.

4. The notice of appeal is the only document you need to file in connection with your appeal. You may file a motion to seek permission to file a brief in your case, or to request oral argument of your case. These motions or any other motions or documents you file concerning your appeal, except the notice of appeal, must be mailed or delivered to the appellate court for filing. The appellate court that will be reviewing your case is:

The _____ District Court of Appeal

_____ (address of the District Court)

Telephone number: _____

(Note: The clerk of the circuit court will fill in the blanks above with the appropriate court information).

5. You may request a lawyer to represent you in your appeal. You must tell the judge who heard your petition for a judicial waiver of parental consent to or notification of and consent to termination of pregnancy that you wish to have a lawyer appointed.

(g) - (n) [No Change]