

# Supreme Court of Florida

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No. SC21-1172

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## **IN RE: AMENDMENTS TO FLORIDA FAMILY LAW RULES OF PROCEDURE—FORMS 12.911(a)-(e).**

March 24, 2022

PER CURIAM.

This matter is before the Court for consideration of proposed amendments to Florida Family Law Rule of Procedure Forms 12.911(a) (Subpoena for Hearing or Trial (Issued by Clerk)), 12.911(b) (Subpoena for Hearing or Trial (Issued by Attorney)), 12.911(c) (Subpoena Duces Tecum for Hearing or Trial (Issued by Clerk)), 12.911(d) (Subpoena Duces Tecum for Hearing or Trial (Issued by Attorney)), and 12.911(e) (Subpoena for Deposition (Issued by Clerk)). *See Fla. R. Gen. Prac. & Jud. Admin. 2.140(b)(1).* We have jurisdiction. *See art. V, § 2(a), Fla. Const.*

*In In re Amendments to Florida Family Law Rule of Procedure 12.407*, 259 So. 3d 752 (Fla. 2018), this Court amended rule 12.407 (Testimony and Attendance of Minor Child) to clarify that

children who are witnesses, potential witnesses, or related to the family law case are prohibited from being brought to court or a deposition or being subpoenaed without an order of the court.

The Florida Bar's Family Law Rules Committee (Committee) has filed a report proposing amendments to forms 12.911(a)-(e), which reference rule 12.407, to ensure they reflect the 2018 amendment to the rule. The Committee and the Board of Governors of The Florida Bar approved the proposed amendments. The Committee published its proposals for comment prior to filing them with the Court and received no comments. After the Committee filed its report, the Court published the proposals for comment. One comment was received in support of the proposed amendments, and the Committee filed a response.

Having considered the proposed amendments, the comment, and the Committee's response, the Court hereby amends Florida Family Law Rule of Procedure Forms 12.911(a)-(e) as proposed by the Committee, with minor technical corrections.

First, the second paragraph in the instructions to forms 12.911(a)-(e) is rewritten to state that "unless otherwise provided by law or another rule of procedure, children who are witnesses,

potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown.”

Additionally, throughout the forms’ instructions, references to the Rules of Judicial Administration are amended to reflect the updated name, the Rules of General Practice and Judicial Administration. *See In re Amends. to Fla. Rules of Jud. Admin.—2020 Regular-Cycle Report*, 310 So. 3d 374 (Fla. 2021).

Accordingly, forms 12.911(a)-(e) are hereby amended as set forth in the appendix to this opinion. The forms are fully engrossed and ready for use. The forms may also be accessed and downloaded from the Florida State Courts’ website at <https://www.flcourts.org/Resources-Services/Office-of-Family-Courts/Family-Courts/Family-Law-Forms>. The amendments shall become effective April 1, 2022, at 12:01 a.m.

It is so ordered.

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

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

Original Proceeding – Florida Family Law Rules of Procedure

Ashley Elizabeth Taylor, Chair, Family Law Rules Committee,  
Tampa, Florida, Joshua E. Doyle, Executive Director, and Mikalla  
Andies Davis, Staff Liaison, The Florida Bar, Tallahassee, Florida,

for Petitioner

Heather L. Apicella, Chair, Family Law Section of The Florida Bar,  
Boca Raton, Florida, Kristin R.H. Kirkner, Co-Chair, Rules and  
Forms Committee, Family Law Section of The Florida Bar, Tampa,  
Florida, and Jack A. Moring, Co-Chair, Rules and Forms  
Committee, Family Law Section of The Florida Bar, Crystal River,  
Florida,

Responding with comments

## APPENDIX

### INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE FORM 12.911(a) SUBPOENA FOR HEARING OR TRIAL (ISSUED BY CLERK) (04 /22)

#### When should this form be used?

This form is used to require the appearance of witnesses at a **trial** or a **hearing** and also to notify the other **party(ies)** of those witnesses you have subpoenaed as required by Florida Family Law Rule of Procedure 12.410. This form should be typed or printed in black ink. After you complete the form, you will need to take it to the **clerk of the circuit court's** office to obtain the clerk or deputy clerk's signature. The party issuing the subpoena should also sign it.

**NOTE:** Under Florida Family Law Rule of Procedure 12.407, unless otherwise provided by law or another rule of procedure, children who are witnesses, potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown. See Forms 12.944(a)–(b).

#### What should I do next?

The form must be **served** on the other party/parties and witness(es) in accordance with Florida Rule of General Practice and Judicial Administration 2.516.

This form must be served on the witness(es) in accordance with Florida law and notice must also be given to the other parties in accordance with Florida Family Law Rule of Procedure 12.410 and with Florida Rule of General Practice and Judicial Administration 2.516.

#### Where can I look for more information?

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** The words that are in **bold underline** in these instructions are defined there. For further information, see Florida Family Law Rule of Procedure 12.410.

**Nonlawyer:** 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 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.

Instructions for Florida Family Law Rules of Procedure Form 12.911(a), Subpoena for Hearing or Trial (Issued By Clerk)  
(04/22)

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

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

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

In re: \_\_\_\_\_

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

and

\_\_\_\_\_,  
Respondent.

### SUBPOENA FOR HEARING OR TRIAL (ISSUED BY CLERK)

THE STATE OF FLORIDA:

TO \_\_\_\_\_,

YOU ARE COMMANDED to appear before the Honorable *{name}* \_\_\_\_\_,  
Judge of the Court, at the \_\_\_\_\_ County Courthouse in *{city}*  
\_\_\_\_\_, Florida, on *{date}* \_\_\_\_\_, at *{time}* \_\_\_\_\_, to  
testify in this action. If you fail to appear you may be held in contempt of court.

You are subpoenaed to appear by the following party, and unless you are excused from this subpoena by the party, or court, you must respond to this subpoena as directed.

DATE: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
*{Print, type, or stamp the name of the deputy clerk}*

*{Party}*: \_\_\_\_\_

*{Address}*: \_\_\_\_\_

\_\_\_\_\_  
*{Telephone Number}*: \_\_\_\_\_

*{E-mail address(es)}*: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [choose only one] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this document and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

\_\_\_\_\_  
Signature of Party or his/her Attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
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 you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:**

\_\_\_\_\_  
***{identify applicable court personnel by name, address, and telephone number}***  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**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 prepared with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

*{address}* \_\_\_\_\_,

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.



**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORM 12.911(b)  
SUBPOENA FOR HEARING OR TRIAL (ISSUED BY ATTORNEY)  
(04/22)**

**When should this form be used?**

This form is used to require the appearance of witnesses at a trial or a hearing and also to notify the other party(ies) of those witnesses you have subpoenaed as required by Florida Family Law Rule of Procedure 12.410. This form should be typed or printed in black ink. The attorney issuing the subpoena should sign it.

**NOTE:** Under Florida Family Law Rule of Procedure 12.407, unless otherwise provided by law or another rule of procedure, children who are witnesses, potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown. See Forms 12.944(a)–(b).

**What should I do next?**

The form must be served on the witness(es) in accordance with Florida law and notice must also be given to the other parties in accordance with Florida Family Law Rule of Procedure 12.410 and with Florida Rule of General Practice and Judicial Administration 2.516.

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

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

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

In re: \_\_\_\_\_

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

and

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

### SUBPOENA FOR HEARING OR TRIAL

THE STATE OF FLORIDA

TO {name(s)} \_\_\_\_\_

YOU ARE COMMANDED to appear before the Honorable {name} \_\_\_\_\_,  
Judge of the Court, at the \_\_\_\_\_ County Courthouse in {city}  
\_\_\_\_\_, Florida, on {date} \_\_\_\_\_ at {time} \_\_\_\_\_, to  
testify in this action. If you fail to appear, you may be in contempt of court.

You are subpoenaed to appear by the following attorney, and unless excused from this subpoena by the attorney you must respond to the subpoena as directed.

DATE: \_\_\_\_\_

\_\_\_\_\_  
ATTORNEY for {party}  
FOR THE COURT

\_\_\_\_\_  
[Print or type the name of the attorney]

{Address}: \_\_\_\_\_

\_\_\_\_\_  
{Telephone Number}: \_\_\_\_\_

{Florida Bar No.}: \_\_\_\_\_

{E-mail address(es)}: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [choose only **one**] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this document and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

\_\_\_\_\_  
Signature of Party or his/her Attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
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 you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:**

\_\_\_\_\_  
***{identify applicable court personnel by name, address, and telephone number}***  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORM 12.911(c)  
SUBPOENA DUCES TECUM FOR HEARING OR TRIAL (ISSUED BY CLERK)  
(04/22)**

**When should this form be used?**

This form is used to require the appearance of witnesses at a trial or a hearing and also to notify the other party(ies) of those witnesses you have subpoenaed as required by Florida Family Law Rule of Procedure 12.410. It also requires that they bring specified items with them. This form should be typed or printed in black ink. After you complete the form, you will need to take it to the clerk of the circuit court's office to obtain the clerk or deputy clerk's signature. The party issuing the subpoena should also sign it.

**NOTE:** Under Florida Family Law Rule of Procedure 12.407, unless otherwise provided by law or another rule of procedure, children who are witnesses, potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown. See Forms 12.944(a)–(b).

**What should I do next?**

The form must be served on the other party/parties and witness(es) in accordance with Florida Rule of General Practice and Judicial Administration 2.516. The form must be served on the witness(es) in accordance with Florida law and notice must also be given to the other parties in accordance with Florida Family Law Rule of Procedure 12.410 and with Florida Rule of General Practice and Judicial Administration 2.516.

**Where can I look for more information?**

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** The words that are in bold underline in these instructions are defined there. For further information, see Florida Family Law Rule of Procedure 12.410.

**Nonlawyer:** 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 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.

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

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

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

In re: \_\_\_\_\_

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

and

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

**SUBPOENA DUCES TECUM FOR HEARING OR TRIAL  
(ISSUED BY CLERK)**

THE STATE OF FLORIDA:

TO \_\_\_\_\_,

YOU ARE COMMANDED to appear before the Honorable *{name}* \_\_\_\_\_,

Judge of the Court, at the \_\_\_\_\_ County Courthouse in *{city}*

\_\_\_\_\_, Florida, on *{date}* \_\_\_\_\_ at *{time}* \_\_\_\_\_ to

testify in this action and to have with you at that time and place the following:

\_\_\_\_\_.

If you fail to appear you may be held in contempt of court.

You are subpoenaed to appear by the Clerk of the Court on behalf of the party indicated below, and unless you are excused from this subpoena by the party indicated below, or court, you must respond to this subpoena as directed.

DATE: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
*[Print, type, or stamp the name of the deputy clerk]*

*{Party}*: \_\_\_\_\_

*{Address}*: \_\_\_\_\_

*{Telephone Number}*: \_\_\_\_\_

*{E-mail address(es)}*: \_\_\_\_\_

Florida Family Law Rules of Procedure Form 12.911(c), Subpoena Duces Tecum for Hearing or Trial (Issued by Clerk)  
(04/22)

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [choose only **one**] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this document and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

\_\_\_\_\_  
Signature of Party or his/her Attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
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 you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:**

\_\_\_\_\_  
***{identify applicable court personnel by name, address, and telephone number}***  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**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 prepared with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

*{address}* \_\_\_\_\_,

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_ *{telephone number}* \_\_\_\_\_.



**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORM 12.911(d)  
SUBPOENA DUCES TECUM FOR HEARING OR TRIAL  
(ISSUED BY ATTORNEY)  
(04/22)**

**When should this form be used?**

This form is used to require the appearance of witnesses at a **trial** or a **hearing** and also to notify the other **party(ies)** of those witnesses you have subpoenaed as required by Florida Family Law Rule of Procedure 12.410. It also requires that they bring specified items with them. This form should be typed or printed in black ink. The attorney party issuing the subpoena should sign it.

**NOTE:** Under Florida Family Law Rule of Procedure 12.407, unless otherwise provided by law or another rule of procedure, children who are witnesses, potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown. See Forms 12.944(a)-(b).

**What should I do next?**

The form must be served on the witness(es) in accordance with Florida law and notice must also be given to the other parties in accordance with Florida Family Law Rule of Procedure 12.410 and with Florida Rule of General Practice and Judicial Administration 2.516.

IN THE CIRCUIT COURT OF THE  
IN AND FOR

JUDICIAL CIRCUIT,  
COUNTY, FLORIDA

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

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

In re: \_\_\_\_\_

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

and

\_\_\_\_\_,  
Respondent.

### SUBPOENA DUCES TECUM FOR HEARING OR TRIAL

THE STATE OF FLORIDA:

TO \_\_\_\_\_,

YOU ARE COMMANDED to appear before the Honorable *{name}* \_\_\_\_\_,  
Judge of the Court, at the \_\_\_\_\_ County Courthouse in *{city}* \_\_\_\_\_,  
Florida, on *{date}* \_\_\_\_\_, at *{time}* \_\_\_\_\_, to testify in this action and to have  
with you at that time and place the following:

\_\_\_\_\_  
If you fail to appear you may be held in contempt of court.

You are subpoenaed to appear by the Clerk of the Court on behalf of the party indicated below, and unless you are excused from this subpoena by the party indicated below, or court, you must respond to this subpoena as directed.

DATE: \_\_\_\_\_

*{Name of Attorney}* \_\_\_\_\_  
FOR THE COURT

Attorney for *{party}* \_\_\_\_\_  
*{Address}*: \_\_\_\_\_

\_\_\_\_\_  
*{Telephone Number}*: \_\_\_\_\_

*{Florida Bar No.}*: \_\_\_\_\_

*{E-mail address(es)}*: \_\_\_\_\_

Florida Family Law Rules of Procedure Form 12.911(d), Subpoena Duces Tecum for Hearing or Trial (Issued by Attorney) (04/22)

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [choose only **one**] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date }\_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this document and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

\_\_\_\_\_  
Signature of Party or his/her Attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
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 you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:**

\_\_\_\_\_  
***{identify applicable court personnel by name, address, and telephone number}***  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORM 12.911(e)  
SUBPOENA FOR DEPOSITION (ISSUED BY CLERK)  
(04/22)**

**When should this form be used?**

This form is used to require the appearance of witnesses at a deposition and also to notify the other **party(ies)** of those witnesses you have subpoenaed as required by the Florida Family Law Rule of Procedure 12.410. This form should be typed or printed in black ink. The party issuing the subpoena should sign it and then take it to the **clerk of the circuit court's** office to obtain the deputy clerk's signature.

**NOTE:** Under Florida Family Law Rule of Procedure 12.407, unless otherwise provided by law or another rule of procedure, children who are witnesses, potential witnesses, or related to a family law case are prohibited from being subpoenaed to appear at any family law proceeding or from attending any family law proceedings without prior order of the court based on good cause shown. See Forms 12.944(a)–(b).

**What should I do next?**

The form must be **served** on the witness(es) in accordance with Florida law and notice must also be given to the other parties in accordance with Florida Family Law Rule of Procedure 12.410 and with Florida Rule of General Practice and Judicial Administration 2.516.

**Where can I look for more information?**

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** The words that are in **bold underline** in these instructions are defined there. For further information, see Florida Family Law Rule of Procedure 12.410.

**Nonlawyer:** 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 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.

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

Case No.: \_\_\_\_\_  
Division: \_\_\_\_\_

In re: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,  
and  
\_\_\_\_\_  
Respondent.

**SUBPOENA FOR DEPOSITION  
(ISSUED BY CLERK)**

THE STATE OF FLORIDA:  
TO \_\_\_\_\_

YOU ARE COMMANDED to appear before a person authorized to take depositions at *{address}* \_\_\_\_\_.

If you fail to appear you may be held in contempt of court.

You are subpoenaed to appear by the **clerk of the circuit court** on behalf of the party indicated below, and unless you are excused from this subpoena by the party indicated below or the court, you must respond to this subpoena as directed.

DATE: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

\_\_\_\_\_  
*[Print, type, or stamp the name of the deputy clerk]*

*{Party}*: \_\_\_\_\_

*{Address}*: \_\_\_\_\_

\_\_\_\_\_  
*{Telephone Number}*: \_\_\_\_\_

*{E-mail address(es)}*: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I certify that a copy of this document was [choose only **one**] ( ) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

**I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this document and that the punishment for knowingly making a false statement includes fines and/or imprisonment.**

\_\_\_\_\_  
Signature of Party or his/her Attorney  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
Email Address(es): \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to or affirmed and signed before me on \_\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
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 you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:**

\_\_\_\_\_  
***{identify applicable court personnel by name, address, and telephone number}***  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**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 prepared with the assistance of:  
*{name of individual}* \_\_\_\_\_,  
*{name of business}* \_\_\_\_\_,  
*{address}* \_\_\_\_\_  
*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.