

**INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW
FORM 12.961
NOTICE OF HEARING ON MOTION FOR CONTEMPT/ENFORCEMENT IN
SUPPORT MATTERS (RULE 12.615)
(12/17)**

When should this form be used?

Use this form anytime you have set a **hearing** on a **Motion for Contempt/Enforcement**, Florida Supreme Court Approved Family Law Form 12.960, for a support matter under rule 12.615, Florida Family Law Rules of Procedure before a judge or hearing officer. Before you fill out this form, you should coordinate a hearing time and date with the **judge or hearing officer** and the other party. If the Department of Revenue is a party to the case, you may need to schedule your hearing time with the attorney for the Department of Revenue.

IMPORTANT: If your case is going to be heard before a general magistrate, you should use **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c).

If your case is to be heard by a child support enforcement hearing officer, the following information applies: A child support enforcement **hearing officer** is an attorney who has been appointed by administrative order of the court to take testimony and recommend decisions in cases involving the establishment, enforcement, and/or modification of **child support**, and the enforcement of alimony in conjunction with an ongoing child support arrearage order. If your case only involves issues pertaining to child support, you cannot object to the referral of your case to a hearing officer. If your case is going to be heard by a **general magistrate**, you should use **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c).

This form should be typed or printed in black ink. After completing this form, you should **file** the original with the **clerk of the circuit court** in the county where your case was filed and keep a copy for your records.

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.**

What should I do next?

A copy of this form must be **personally served** by a sheriff or private process server, mailed*, e-mailed*, **or** hand-delivered to any other party(ies) in your case. Please note that if notice is mailed, the court in certain circumstances may not consider mailing to be adequate notice. This is a technical area of the law; if you have any questions about it, you should consult a lawyer. For more information on personal service, see the instructions for **Summons: Personal Service on an Individual**, Florida Family Law Rules of Procedure Form 12.910(a).

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.

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.

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. For further information, see rules 12.615 and 12.941, Florida Family Law Rules of Procedure.

Special notes

An attorney who has been appointed by the court to serve as a child support enforcement hearing officer can also be appointed to serve as a general magistrate. If your case involves only child support issues, your case properly may be referred to a general magistrate acting as a child support enforcement hearing officer.

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.

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

Case No.: _____

Division: _____

_____,
Petitioner,

and

_____,
Respondent.

**NOTICE OF HEARING ON MOTION FOR CONTEMPT/ENFORCEMENT
IN SUPPORT MATTERS (RULE 12.615)**

[fill in **all** blanks]

TO: *{name of other party}*: _____

There will be a hearing before Judge *{name}* _____,
on *{date}* _____, 20____ at *{time}* _____ am/pm., in Room _____ of
the [Choose only one]

- () Okaloosa County Courthouse Annex Ext., 1940 Lewis Turner Blvd., Fort Walton Beach, FL.
() Okaloosa County Courthouse, 101 James Lee Blvd., East, Crestview, FL.

on a Motion for Contempt/Enforcement in Support Matters. _____ hour(s)/_____ minutes have been reserved for this hearing.

FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.

YOU ARE STRONGLY URGED TO PREPARE AND FILE A FLORIDA FAMILY LAW RULES OF PROCEDURE FINANCIAL AFFIDAVIT PRIOR TO THE HEARING AS YOUR ABILITY TO PAY IS A CRITICAL ISSUE IN THIS CONTEMPT PROCEEDING.

YOU WILL BE PROVIDED AN OPPORTUNITY AT THE HEARING TO RESPOND TO ALLEGATIONS AND QUESTIONS ABOUT YOUR PRESENT FINANCIAL STATUS.

If you are a person with a disability who needs any accommodation in order to

Florida Supreme Court Approved Family Law Form 12.961, Notice of Hearing on Motion for Contempt/Enforcement (12/2017)

participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

**Court Administration, ADA Liaison
Okaloosa County
1940 Lewis Turner Boulevard
Fort Walton Beach, FL 32547
Phone (850) 609-4700 Fax (850) 652-7725
ADA.Okaloosa@flcourts1.gov**

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 you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

I certify that a copy of this document was () mailed () faxed and mailed () e-mailed () hand delivered to the person(s) listed below on {date} _____ 20____.

Other party or his/her attorney:

Name: _____
Address: _____
City, State, Zip: _____
Fax Number: _____
Designated E-Mail Address(es): _____

Dated: _____

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

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

_____,
Petitioner,

and

Case No. _____

_____,
Respondent.

NOTICE OF HEARING BEFORE GENERAL MAGISTRATE

TO: _____ (Name)
_____ (Address)
_____ (City, State, Zip)

There will be a hearing before General Magistrate _____, on
{date} _____, 20____, at {time} _____ a.m./p.m. (central standard time), at the
[choose **one** only]

() Okaloosa County Courthouse Annex Extension, 1940 Lewis Turner Blvd, Fort Walton
Beach, Florida 32547.

() Okaloosa County Courthouse, 101 James Lee Blvd., East, Crestview, Florida.

on the following: _____.
_____ minutes have been reserved for this hearing. Please Govern Yourself Accordingly.

If the matter before the General Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD. PLEASE GOVERN YOURSELF ACCORDINGLY.

YOU ARE STRONGLY URGED TO PREPARE AND FILE A FLORIDA FAMILY LAW RULES OF PROCEDURE FINANCIAL AFFIDAVIT PRIOR TO THE HEARING AS YOUR ABILITY TO PAY IS A CRITICAL ISSUE IN THIS CONTEMPT PROCEEDING.

YOU WILL BE PROVIDED AN OPPORTUNITY AT THE HEARING TO RESPOND TO ALLEGATIONS AND QUESTIONS ABOUT YOUR PRESENT FINANCIAL STATUS.

SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH RULE 12.490(f), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS, OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED IF NECESSARY FOR THE COURT'S REVIEW.

YOU ARE HEREBY ADVISED THAT IN THIS CIRCUIT an electronic recording is provided by the court. A party may provide a court reporter at that party's expense.

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:

**Court Administration, ADA Liaison
Okaloosa County
1940 Lewis Turner Boulevard
Fort Walton Beach, FL 32547
Phone (850) 609-4700 Fax (850) 652-7725
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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 you are represented by an attorney or plan to retain an attorney for this matter, you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

I certify that a copy of this document was () mailed () faxed and mailed () e-mailed () hand delivered to the person(s) listed below on {date} _____ 20_____.

Other party or his/her attorney:

Name: _____
Address: _____
City, State, Zip: _____
Fax Number: _____
Designated E-Mail Address(es): _____

Dated: _____

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