



Child Support Program

CS-OA01
Rule 12E-1.036
Florida Administrative Code
Effective 04/05/16

<<Option 1>> Notice of Proceeding to Establish
Administrative Support Order

<<Option 35>>

Child Support Case Number. <<CSE Case #>>
<<date>>

- 1. We have started a proceeding to establish an administrative support order that may require you,
<<NCP Name>> to pay child support and/or provide health insurance and noncovered medical
expenses for your child(ren) named below. The name and date of birth of the child(ren) is:

<<Child1Name>> <<Child1DOB>>
<<Child2Name>> <<Child2DOB>>

<<option 10>>

We have done this because public assistance has been received for the child(ren) or
because the other parent or caregiver has asked for our help in establishing support.
Our records show that there is no support order for the child(ren). You have a legal duty
to contribute to the support of the child(ren) named above because you are the
<<Option 11>> and the noncustodial parent. <<Option 8>>

The name of the other parent is <<OtherParentName>>.
<<Option 24>>

XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX
XXXX

Based on public assistance records or a statement by the other parent or caregiver, you also
may owe past child support.

- 2. You are required by law to fill out and sign the enclosed Financial Affidavit and Parent
Information Form. You must return the filled out forms to the address below no later than 20
days after you receive this notice.

Florida Department of Revenue
Child Support Program
P.O. Box 5330
Tallahassee, FL 32314-5330

If you have already given support for the child(ren), send us written proof of this support with your Parent Information Form. If the information on this form changes you must let us know the changes in writing. <<InsertWebText:2>>.

The other parent/caregiver is also being sent this notice and has the same amount of time to complete and return these forms.

3. We will review the financial affidavits we receive and will use all available, reliable information about your income and the other parent's income to figure the monthly amount you should be required to pay to support the child(ren). If we cannot determine the correct monthly support amount, we may refer the proceeding to the Division of Administrative Hearings for an administrative law judge to conduct a hearing. Otherwise, this amount will be placed in a Proposed Administrative Order (Proposed Order) and computed using the child support guidelines found in section 61.30, Florida Statutes. Sometimes the support amount may be changed to an amount more or less than the amount shown by the guidelines. A list of the reasons for making this change or deviation is included. If you believe any of the reasons on the list apply to you then give us detailed information about that reason along with your Financial Affidavit.

If we know what your actual monthly income is, we will use that amount. We may ask for copies of your credit report, employment records, state wage data, or information from other sources to compute or verify your monthly income. If you do not tell us your income we will use this other information to calculate a monthly income.

We will mail you the Proposed Order. We will include the worksheet(s) used to compute the support amount and any financial affidavits we received or prepared. We will send the same documents to the other parent/caregiver.

4. After you receive the Proposed Order you need to review it closely to be sure you agree with the information included in the order. You will have the opportunity to discuss the proposed order with us or to request an administrative hearing. Directions about how to request an informal discussion or administrative hearing are included in the Proposed Order.
5. If a Final Administrative Support Order is issued, it can be enforced in any way the law allows.
6. You must by law, tell us your current mailing address and send us any changes to your mailing address. All proposed and final administrative support orders, notices of hearing, and any other papers will be mailed to you at the address on page one of this notice and we will presume you have received any documents we send you. You must provide us written notice of changes to your address right away. If you do not provide us address changes, you may miss a deadline and lose your right to ask for a hearing or file an appeal.
7. You or the other parent/caregiver may file a civil action in an appropriate circuit court of this state at any time to determine your paternity and/or support obligations, if any. If, within 20 days after you were served with this notice, you file an action in circuit court and serve us with a copy of the petition, this administrative proceeding will end and the action will proceed in circuit court. If you file a petition, you must serve us at:

Deputy Agency Clerk
<<P.O.LegalAddress>>

Only the circuit court has jurisdiction to grant a divorce, resolve a paternity dispute, or to award or change custody, visitation, alimony or make name changes. If you want a hearing on any of these issues, you must file a petition in circuit court.

A support order from a circuit court that changes the support obligation(s) takes the place of or supersedes a DOR administrative support order. However, any unpaid support due under the administrative order is still owed.

If you choose to file a court action and do not have a lawyer, you can check to see if there is a self-help center in the county courthouse where you live. For availability, locations, forms, and other information go to www.flcourts.org.

8. If you want us to proceed in circuit court to address your support obligation you must file a written request with us within 20 days after you receive this notice.

If we receive your request within that time we will file an action in circuit court to determine your support obligations, if any, and will mail you a copy of the court petition and a waiver of service form. You must then sign and return the waiver of service form within 10 days after you receive it. Upon receipt of your signed waiver of service form, we will end this administrative proceeding and proceed with the circuit court action.

9. Call us if you are now in a bankruptcy or Chapter 13 proceeding. Parts of this notice may not apply to you.
10. This proceeding is authorized by section 409.2563, Florida Statutes.
11. If you have any questions call <<Option 31>>.

Enclosures:

Financial Affidavit
Parent Information Form

Notice to Non-English Speaking Respondents

The Department of Revenue, Child Support Program (DOR) has begun a legal proceeding to establish paternity or a child support order for the child(ren) named on page one of the enclosed notice. To fully understand your rights and obligations you need to read the enclosed notice and order. If you do not understand English, ask someone you know to help translate the notice and order for you. If you have questions, call 1-800-622-5437 for further assistance.

Aviso Para Demandados Que No Hablen Inglés

El Ministerio de Hacienda (Department of Revenue) del Estado de la Florida, Programa Para Sustento de Menores, ha iniciado un procedimiento Legal para establecer una orden de paternidad/de sustento para el niño(s) nombrado en la primera página del documento incluido. Para entender sus derechos y obligaciones completamente usted necesita leer el documento y la orden incluida. Si usted no entiende Inglés, pídale a alguien conocido que le ayude a traducir el documento y la orden. Si tiene preguntas adicionales, llame al 1-800-622-5437.

Mesaj Pou Moun Ki Pa Ka Reponn An Angle

The Department of Revenue, Child Support Program (DOR) komanse aksyon legal pou etabli patenite/yon dekre pou timoun/timoun-yo ki lonmen nan yon paj sou notis ki enfemen a. Pou konprann konpletman tout dwa-ou avek obligasyon-ou, fok ou li notis avek dekre ki enfemen a. Si ou pa konprann Angle, mande yon moun ou konnen pou tradui notis avke dekre-a pou ou. Si ou gen kesyon, rele 1-800-622-5437 pou asistans.

NOTE: For tag <<InsertWebText2:>> We want the following text to be a condition that FDOR can turn on when the form is available on WSS:

You can complete this form online if you register at <<InsertAppropriateFDORInternetAddr>>.

Option 1 (When applicable):

- A. AMENDED (use in heading only)
- B. Amended

Option 8 Jurisdiction/Long Arm for noncustodial parent/alleged father

A. When served in Florida

DOR has personal jurisdiction over the Respondent because he/she was properly served notice in Florida on <<Date Served With Initial Notice>>.

B. When NCP served in another state or country (long-arm); if 8B is selected, select one or more from 8B1-8B6.

The Respondent is subject to DOR's jurisdiction in this proceeding under sections 48.193(1)(e), (h), or 88.2011, Florida Statutes. The Respondent was properly served notice outside the State of Florida, however, he/she

1. resided in this state with the child(ren) and/or the Petitioning parent before this proceeding started.
2. resided in this state and provided prenatal expenses or support for the child(ren) before this proceeding started.
3. maintained a matrimonial domicile in this state before this proceeding started.
4. acknowledged paternity of the child(ren) in this state before this proceeding started.
5. had sexual intercourse in this state, which may have resulted in conception of the child(ren).
6. submitted to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any objection to personal jurisdiction.

Option 10 One entry for each child. (A-F Based on paternity codes associated with individual child BP record. H based on existence of ZGT activity involving the child associated with the parent activity)

- A. Paternity has been legally established for <<Child Z>>by affidavit or voluntary acknowledgment.
- B. Paternity has been established for<<Child Z>>through a court order issued within the State of Florida.
- C. Paternity is presumed for <<Child Z>>because the Respondent was married to the mother when the child was born or conceived.
- D. Paternity has been established for <<Child Z>>in another state by a court, other tribunal, or voluntary acknowledgment.
- E. Paternity is not an issue for <<Child Z>>because the Respondent and the mother married after the child's birth.
- F. Paternity has been established for <<Child Z>>by an administrative order based on a positive genetic test.
- G. Paternity is not an issue for <<Child Z>> because the Respondent is the mother to the child.

H. Paternity has been established for <<Child Z>> based on the attached genetic test results that equal or exceeds a 99 percent probability of paternity.

Option 11 (role/relationship of party to child[ren])

- A. *father*
- B. *mother*
- C. *caregiver*

Option 24 (in caretaker cases only)

<<CP/CTR Name>> is the child(ren)'s caregiver.

Option 31 (based on the office handling the case)

- A. 1-305-530-2600 (if case is handled in Miami-Dade County)
- B.
- C. 1-800-622-KIDS (5437) (if A. Conditions are not met, [all other sites])

Option 35 (Notice goes to both NCP and CP)

- A. <<NCP Name>>
<<NCP Address1>>
<<NCP Address2>>
- B. <<CP/CTR Name>>
<<CP/CTR Address>>
<<CP/CTR Address2>>