

**61.13, Florida Statutes: Support of children; parenting and time-sharing; powers of court.—**

(1)(a) In a proceeding under this chapter, the court may at any time order either or both parents who owe a duty of support to a child to pay support to the other parent or, in the case of both parents, to a third party who has custody in accordance with the child support guidelines schedule in s. 61.30.

1. All child support orders and income deduction orders entered on or after October 1, 2010, must provide:

a. For child support to terminate on a child's 18th birthday unless the court finds or previously found that s. 743.07(2) applies, or is otherwise agreed to by the parties;

b. A schedule, based on the record existing at the time of the order, stating the amount of the monthly child support obligation for all the minor children at the time of the order and the amount of child support that will be owed for any remaining children after one or more of the children are no longer entitled to receive child support; and

c. The month, day, and year that the reduction or termination of child support becomes effective.

(b) Each order for support shall contain a provision for health insurance for the minor child when health insurance is reasonable in cost and accessible to the child. Health insurance is presumed to be reasonable in cost if the incremental cost of adding health insurance for the child or children does not exceed 5 percent of the gross income, as defined in s. 61.30, of the parent responsible for providing health insurance. Health insurance is accessible to the child if the health insurance is available to be used in the county of the child's primary residence or in another county if the parent who has the most time under the time-sharing plan agrees. If the time-sharing plan provides for equal time-sharing, health insurance is accessible to the child if the health insurance is available to be used in either county where the child resides or in another county if both parents agree. The court may require the obligor to provide health insurance or to reimburse the obligee for the cost of health insurance for the minor child when insurance is provided by the obligee. The presumption of reasonable cost may be rebutted by evidence of any of the factors in s. 61.30(11)(a). The court may deviate from what is presumed reasonable in cost only upon a written finding explaining its determination why ordering or not ordering the provision of health insurance or the reimbursement of the obligee's cost for providing health insurance for the minor child would be unjust or inappropriate. In any event, the court shall apportion the cost of health insurance, and any noncovered medical, dental, and prescription medication

expenses of the child, to both parties by adding the cost to the basic obligation determined pursuant to s. 61.30(6). The court **may** order that payment of noncovered medical, dental, and prescription medication expenses of the minor child be made directly to the obligee on a percentage basis. In a proceeding for medical support only, each parent's share of the child's noncovered medical expenses shall equal the parent's percentage share of the combined net income of the parents. The percentage share shall be calculated by dividing each parent's net monthly income by the combined monthly net income of both parents. Net income is calculated as specified by s. 61.30(3) and (4).

**61.30, Florida Statutes: Child support guidelines; retroactive child support.—**

(8) Health insurance costs resulting from coverage ordered pursuant to s. 61.13(1)(b), and any noncovered medical, dental, and prescription medication expenses of the child, shall be added to the basic obligation unless these expenses have been ordered to be separately paid on a percentage basis. After the health insurance costs are added to the basic obligation, any moneys prepaid by a parent for health-related costs for the child or children of this action shall be deducted from that parent's child support obligation for that child or those children.

**61.14, Florida Statutes: Enforcement and modification of support, maintenance, or alimony agreements or orders.—**

(9) Unless otherwise ordered by the court or agreed to by the parties, the obligation to pay the current child support for that child is terminated when the child reaches 18 years of age or the disability of nonage is removed. The termination of the current child support obligation does not otherwise terminate the obligation to pay any arrearage, retroactive support, delinquency, or costs owed by the obligor.

**61.13001, Florida Statutes: Parental relocation with a child.—**

(9) ORDER REGARDING RELOCATION.—If relocation is approved:

(a) The court may, in its discretion, order contact with the nonrelocating parent or other person, including access, time-sharing, telephone, Internet, webcam, and other arrangements sufficient to ensure that the child has frequent,

continuing, and meaningful contact with the nonrelocating parent or other person, if contact is financially affordable and in the best interest of the child.

(b) If applicable, the court shall specify how the transportation costs are to be allocated between the parents and other persons entitled to contact, access, and time-sharing and may adjust the child support award, as appropriate, considering the costs of transportation and the respective net incomes of the parents in accordance with the state child support guidelines schedule.

Miscellaneous Important Recent Amendments:

Income Deduction Order: Use the Up-to-Date Florida Supreme Court Approved Forms

- 12.996 Instructions to Federal Income Withholding Order (IWO) 9/2017
- 12.996 Federal Income Withholding Order (IWO)
- 12.996(a) Income Deduction Order 12/2019
- 12.996(b) Notice to Payor 11/2020
- 12.996(c) Notice of Filing Return Receipt 11/2020

Financial Affidavit was amended on November 12, 2020. *In re Amendments to Florida Family Law Rules of Procedure*, 45 Fla. L. Weekly S291 (Fla. 2020).

Florida Law Rule of Procedure 12.285 was amended on November 12, 2020. *In re Amendments to Florida Family Law Rules of Procedure*, 45 Fla. L. Weekly S291 (Fla. 2020).

Florida Rule of Judicial Administration 2.425(b). Minimization of the Filing of Sensitive Information

- (b) Exceptions. Subdivision (a) does not apply to the following: (1) An account number which identifies the property alleged to be the subject of a proceeding; (2) The record of an administrative or agency proceeding; (3) The record in appellate or review proceedings; (4) The birth date of a minor whenever the birth date is necessary for the court to establish or maintain subject matter jurisdiction; (5) The name of a minor in any order relating to parental responsibility, time-sharing, or child support;

Language in the Final Judgment/Report:

Usually the last sentence.

The Florida Supreme Court Approved Family Law Form 12.990(b)(1), Final Judgment:

“The court reserves jurisdiction to modify and enforce this final judgment.”

“The court retains jurisdiction to enforce and modify and clarify the terms of this Judgment.”

Limited Appearance Florida Family Law Rule of Procedure 12.080(3)

Florida Family Law Rule 12.080 (Service of Pleadings and Filing of Documents) to require documents that are served but not filed with the court to be served in accordance with Florida Rule of General Practice and Judicial Administration 2.516 (Service of Pleadings and Documents).

*In re Amendments To Florida Rules of Civil Procedure*, SC19-2162, 2021 WL 1310552, at \*1 (Fla. Apr. 8, 2021), added subsection (3):

(3) Limited Appearance. Florida Rule of General Practice and Judicial Administration 2.516 also applies to service on the party and must be expanded as set forth in subdivisions (b) and (c) to include additional requirements for service of recommended orders and for service on defaulted parties.