

INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM
12.944(a),
MOTION FOR TESTIMONY AND ATTENDANCE OF MINOR CHILD(REN)


When should this form be used?

Rule 12.407, Florida Family Law Rules, provides that minor children may not be deposed (have their **deposition** taken), brought to court to appear as a **witness** or to attend a **hearing**, or **subpoenaed** to appear at a hearing without prior order of the court. This rule applies in all cases except when there is an emergency or the case is an uncontested adoption. You should use this form to request that the court enter an order authorizing a minor child(ren) to appear at a court proceeding.

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 is filed and keep a copy for your records.

What should I do next?


A copy of this form must be mailed **or** hand delivered to any other party(ies) in your case, including the guardian ad litem, if one has been appointed.

It is possible that there will be a hearing on your motion. The **judge** may want to hear the reasons you feel this motion should be granted, or the other party may object to your motion. If a hearing is required, check with the clerk of court, **judicial assistant**, or **family law intake staff** for information on the local procedure for scheduling a hearing. When you know the date and time of your hearing, you should file **Notice of Hearing (General)**,  Florida Supreme Court Approved Family Law Form 12.923, or other appropriate notice of hearing form, and provide a copy to any other party.

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 rule 12.407, Florida Family Law Rules of Procedure.

Special notes...

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 _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

Petitioner,

and

Respondent.

MOTION FOR TESTIMONY AND ATTENDANCE OF MINOR CHILD(REN)

() Petitioner () Respondent requests that the Court enter an order authorizing one or more of the actions listed below related to the following minor child(ren):

Name	Birth date	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

[all that apply]

- _____ 1. Minor child(ren), {name(s)} _____,
be subpoenaed to appear at hearing now scheduled for {date} _____.
- _____ 2. Minor child(ren), {name(s)} _____,
attend deposition of {name(s)} _____ now scheduled for
{date} _____ at {location} _____.
- _____ 3. Minor child(ren)'s, {name(s)} _____,
deposition be taken on {date} _____ at {location} _____.
- _____ 4. Minor child(ren), {name(s)} _____,
be brought to court to attend hearing now scheduled for {date} _____ at
{location} _____.
- _____ 5. Minor child(ren), {name(s)} _____,
be brought to court to testify in a hearing now scheduled for {date} _____ at
{location} _____.

The Court should do this because: _____

I certify that a copy of this document was [one only] () 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: _____

Fax Number: _____

Dated: _____

Signature of Party

Printed Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

Fax Number: _____

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE
BLANKS BELOW:** [fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [**one** only] ___ petitioner **or** ___ respondent, fill out this form.