

Form

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE
COUNTY,
FLORIDA

FAMILY DIVISION

IN RE:

_____,
Petitioner,
and
_____,
Respondent.
_____ /

CASE NO.:

FC

**AFFIDAVIT IN SUPPORT OF EMERGENCY MOTION AND SEEKING AN
EMERGENCY HEARING
(Child(ren)'s Issues)**

I, _____, am the moving party. This Verified Emergency Motion for _____ is filed in good faith.

This Affidavit Certifying Compliance with the Procedures for Filing an Emergency Motion and Seeking an Emergency Hearing is being filed together with my Verified Emergency Motion for _____

I am seeking that the Court set the hearing on my Verified Emergency Motion.

I understand that the filing of the verified emergency motion is not a substitute for a temporary injunction, including those filed under section 741.30, Florida Statutes, and no temporary injunction be issued as a result.

- A. This is a [] pre-judgment matter.
- B. Paternity has [] has not [] been established.
 - a. [] A certified copy of the minor child(ren)'s birth certificate is attached or will be produced at the earliest convenience before the hearing requested.
 - b. [] A certified copy of the Final Judgment of Paternity is attached, which shows no award of custody or time-sharing was made or that custody and/or time-sharing have been addressed.
- C. This is a [] post judgment matter.

RELATED CASE(S):

Initials on the applicable line:

1. _____ There _____ is/are, there is/are not _____ case(s) related to this case in any other State, Federal, Appellate, Foreign or other Jurisdiction.

2. _____ The case number and jurisdiction of the pending case involving the child and/or parties is as follows:

3. _____ There [] is [] is not an existing Court Order related to the parenting/child(ren) issue(s) being addressed. The Court Order appears in the following case and [] is [] is not attached:

I. Children's Issues – Nonfinancial

Initial each line that is applicable:

1. _____ The Verified Emergency Motion is filed because I believe that the child is threatened with harm or the opposing party plans to improperly remove the child from the state if the Court does not address the matters contained in the Verified Emergency Motion.
 - a. _____ The circumstances and date(s) of incidents are:

II. Children's Issues – Financial

Initial the applicable line(s):

1. _____ The Verified Emergency Motion is filed because I believe there is a financial issue where the child is threatened with harm, including that:
- a. _____ I do not have access to funds or credit cards, or access has been reduced and the following expenses/costs have not or cannot be paid:
 - i. _____ Utilities: (i.e., electricity and water) not paid and the last notice has been received and if the balance owed is not paid the service will be discontinued in less than 3 days;
 - ii. _____ Health/Medication: Inability to pay for or facilitate necessary or Court Ordered surgeries, medical procedures, prescription medication (fill or refill) within the next 3 days;
 - iii. _____ Food: Inability to pay for food for minor child(ren) and/or
 - iv. _____ Other economic circumstances.

Other further details include:

Initial the applicable line(s)

_____ The Verified Emergency Motion is filed after I/my attorney made a good faith attempt to resolve matters with the opposing side and it has not been possible to address/resolve the issue(s) addressed in the Verified Emergency Motion,

or

_____ The Verified Emergency Motion is filed and I/my attorney did not make a good faith attempt to resolve matters with the opposing side for the following specific reasons:

_____ The Verified Emergency Motion is filed as it is reasonably anticipated that the issue(s) being raised in the Motion shall occur within _____ business days.

_____ I am requesting for this Court to set the Verified Emergency Motion for hearing on an Emergency Basis.

I UNDERSTAND THAT I AM SIGNING AN AFFIDAVIT UNDER PENALTIES OF PERJURY, AND I DECLARE THAT I HAVE READ AND UNDERSTAND THIS DOCUMENT AND THE FACTS STATED IN IT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

I UNDERSTAND THAT I MAY BE SUBJECT TO SANCTIONS, CONTEMPT, AND ATTORNEY'S FEES AND COSTS FOR ANY FALSE AND/OR MISLEADING ALLEGATIONS.

PURSUANT TO SECTION 92.525, FLORIDA STATUTES, UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AFFIDAVIT CERTIFYING COMPLIANCE WITH THE PROCEDURES FOR FILING AN EMERGENCY MOTION AND SEEKING AN EMERGENCY HEARING AND THAT THE FACTS STATED IN IT ARE TRUE.

I HEREBY CERTIFY that a true copy of the foregoing was [] electronically served in compliance with Florida Rule of General Practice and Judicial Administration 2.516 and Administrative Order SC13-49 through the Florida Courts E-filing Portal or [] filed with the Clerk of Courts this ____ day of _____ 202__.

Other party or his/her attorney:

Name: _____
Street Address: _____
City, State, Zip: _____
Telephone No.: _____

Dated: _____

Signature of Party: _____
Printed Name: _____
Street Address: _____
City, State, Zip: _____
Telephone No.: _____
E-mail: _____

STATE OF FLORIDA)
COUNTY OF MIAMI-DADE)

Sworn to or affirmed and signed before me on _____ by
_____.

NOTARY PUBLIC or DEPUTY CLERK

_____ Personally known
_____ Produced identification: _____