

INSTRUCTIONS FOR COMPLETING PETITION TO CONTEST NOTICE OF DELINQUENCY AND INTENT TO SUSPEND DRIVER'S LICENSE AND/OR VEHICLE REGISTRATION

For Child Support Enforcement (Department of Revenue) Proceedings
§ 61.13016, Florida Statutes

Important: Use this petition ONLY if you have received a notice of delinquency and intent to suspend driver's license and/or vehicle registration AND you are filing the petition to contest the notice LESS THAN 20 DAYS from the mailing date that appears on the notice.

Please read all of the instructions carefully before completing the petition.

1. This petition is to be used when a person who is obligated to pay child support (the obligor) has received a **notice of delinquency and intent to suspend driver's license and/or vehicle registration** and wants to contest the notice. The notice usually comes from the Department of Revenue, but the notice also may come from another agency or an attorney.
2. Use this petition ONLY if you have received a notice of delinquency and intent to suspend driver's license and/or vehicle registration AND you are filing the petition less than 20 days from the mailing date that appears on the notice.
3. **THIS IS A TIME SENSITIVE PETITION.** You have **20 days** from the mailing date that appears on the notice to pay the amount of the delinquency in full, **or** enter into a written agreement for payment of the delinquency, **or** file this petition contesting the notice. If you do not take one of these actions within the 20 days, procedures to suspend of your driver's license will go into effect. **If you received a notice MORE THAN 20 DAYS AGO, filing this petition WILL NOT STOP the suspension of your driver's license and/or vehicle registration.**
4. Filing this petition to contest the notice within the 20 days will postpone procedures for suspension of your driver's license and/or vehicle registration until the court enters an order that resolves the matter. The **original petition** must be filed in the family division of the Clerk of the Circuit Court in the county in which this case is located. You **MUST ATTACH A COPY OF THE NOTICE to the original petition for filing with the Clerk.** You will need to make **two more copies of the notice that you must attach to copies of the petition** that must be served on the Department of Revenue and the other party in this case. Keep the **original notice** for your records.
5. Section 1. You **MUST** enter the mailing date that appears on the notice of delinquency and intent to suspend driver's license and/or vehicle registration.
6. Section 2. You may contest the notice of delinquency based on one or more of the following grounds that may apply to your situation:
 - a. There is a mistake and you are not delinquent.
 - b. There is a mistake and the amount of the delinquency is more than you owe.
 - c. There is a mistake and you are not the person who owes support.
 - d. You agree that you are delinquent in the amount stated but you cannot afford to pay the total amount of the delinquency.

You **MUST** date and sign the petition **AND** provide your street address or post office box number, and telephone number.

7. Section 3. Select which type of service you will use to deliver copies of the petition and copies of the notice to the other party and to the Department of Revenue. To deliver (serve) these documents, you may mail them, or fax and mail them, or hand deliver them.

You MUST provide the name and address of the other party in the case . You also MUST provide the address of the local Department of Revenue Child Support Enforcement Office. **See the Instructions for Service on Department of Revenue below for the address and location of the correct Child Support Enforcement Office.**

You MUST date and sign the Certificate of Service AND provide your street address or post office box number, and telephone number.

Next you MUST **attach a copy of the notice to a copy of the petition and serve both documents on the other party in this case using the type of service you have selected.**

You also MUST **attach a copy of the notice to a copy of the petition and then serve both documents on the Department of Revenue Child Support Enforcement Office at the address/location of the local office using the type of service you have selected.**

8. Section 4. A person who is not a lawyer is called a nonlawyer. If a nonlawyer helped you fill out this petition, 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 this form **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.

INSTRUCTIONS FOR SERVICE ON DEPARTMENT OF REVENUE

If your case is located in:

The mailing address is:

INDIAN RIVER COUNTY

Department of Revenue
Child Support Enforcement
1860 82nd Avenue, Suite 105
Vero Beach, FL 32966-6997

OKEECHOBEE COUNTY

Department of Revenue
Child Support Enforcement
502 NW 2nd Street
Okeechobee, FL 34972-4101

MARTIN & ST. LUCIE COUNTIES

Department of Revenue
Child Support Enforcement
337 North US Highway 1, Suite C
Ft. Pierce, FL 34950-4255

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

_____, CASE NO. _____
Petitioner,
v.
_____,
Respondent.
_____ /

**PETITION TO CONTEST NOTICE OF DELINQUENCY AND INTENT TO SUSPEND
DRIVER'S LICENSE AND/OR VEHICLE REGISTRATION**

Comes now the obligor _____ (*name*) and hereby contests the notice of delinquency and intent to suspend driver's license and/or vehicle registration, and as grounds states:

Section 1. A notice of delinquency and intent to suspend driver's license and/or vehicle registration was mailed to me on _____ (*date*). **I have attached a copy of the notice to this petition.**

Section 2. I contest the notice of delinquency and intent to suspend driver's license and/or vehicle registration because: **(Check all that apply.)**

- There is a mistake and I am not delinquent.
- There is a mistake and the amount of the delinquency is more than I owe.
- There is a mistake and I am not the person who owes support.
- I agree that I am delinquent in the amount stated in the Notice but I cannot afford to pay the whole amount of the delinquency at one time.

Wherefore, I request that the court decline to suspend my driver's license and/or vehicle registration, correct the mistake, and/or allow me to make payments until the delinquency is paid in full.

Dated

Signature of Petitioner

Printed Name

Address

()

Telephone Number

CERTIFICATE OF SERVICE

Section 3. I HEREBY CERTIFY that a copy of this petition along with the attachment was **(check only one of the following)** mailed; faxed and mailed; hand delivered to the persons or entity listed below on this ___ day of _____, 20__.

Florida Department of Revenue Child Enforcement

Other Party Name

Address

City/State/Zip

Dated

Address

City/State/Zip

Signature of Petitioner

Printed Name

Address

City/State/Zip

()

Telephone Number

Section 4. If someone who is a nonlawyer helped you to complete this petition, he/she **must** provide the information below:

I, _____ (*full legal name or trade name of nonlawyer who helped complete this form*), located at _____ (street) in _____ (City), _____ (State and Zip) and having the telephone number of () - _____, helped _____ (name of obligor) who is the obligor, complete this form.