

# INSTRUCTIONS FOR FLORIDA SUPREME COURT APPROVED FAMILY LAW FORM 12.940(d), MOTION TO MODIFY OR DISSOLVE TEMPORARY INJUNCTION (03/09)

## When should this form be used?

If a temporary **injunction**, either **ex parte** or after a **hearing**, has been entered against you, you may use this form to ask the court to modify or dissolve that injunction.

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 the injunction was entered and keep a copy for your records. You should ask the clerk to process your motion through their emergency procedures. A **hearing** will be held within 5 working days. You should ask for the date and time of your hearing and should file **Notice of Hearing (General)**, Florida Supreme Court Approved Family Law Form 12.923 or other appropriate notice of hearing form, and send a copy to the other party.

## What should I do next?

A copy of this form must be mailed **or** hand delivered to the other party, along with a notice of hearing.

## 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 chapter 61, Florida Statutes, and rule 1.610, Florida Rules of Civil Procedure.

## Special notes...

With this form you must also file the following, if you have not already done so:

- **Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) Affidavit**, Florida Supreme Court Approved Family Law Form 12.902(d), if the parental responsibility or time-sharing of a minor child(ren) is at issue.

**Order...** These family law forms contain an **Order Dissolving Temporary Injunction**, Florida Supreme Court Approved Family Law Form 12.940(e), which the judge may use. You should check with the clerk, **family law intake staff**, or **judicial assistant** to see if you need to bring a blank order form with you to the hearing. If so, you should type or print the heading, including the circuit, county, case number, division, and the parties' names, and leave the rest blank for the judge to complete at your hearing or trial.

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 TO MODIFY OR DISSOLVE TEMPORARY INJUNCTION

( ) Petitioner ( ) Respondent requests the Court to enter an order ( ) dissolving the temporary injunction issued in the above styled case ( ) modifying the temporary injunction issued in the above styled case in the following manner: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.  
I am the party against whom this temporary injunction has been granted and under rule 1.610, Florida Rules of Civil Procedure, I request that a hearing be held within 5 days after the filing of this motion.

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.