

FLORIDA'S CHILD SUPPORT BENCHBOOK

Petition for Support Hearing Checklist

- Swear in parties.
- If an attorney represents a party, ask them to announce their appearance on the record.
- Determine if parties were served. If so, find that parent was properly served and noticed.
- Determine monthly income for each party. Check with the Department of Revenue to see if record of income exists. Input minimum wage (or other) if necessary.
 - In order to impute income higher than what the respondent is earning, the court must find that the parent owing the duty to support: 1) has the actual ability to earn more than currently earning and 2) that the respondent is deliberately refusing to work at a the higher capacity to avoid the support obligation. Stebbins v. Stebbins, 754 So.2d 903 (2000).
- Make finding of monthly income.
- Determine current health insurance and who is responsible for paying.
- Determine day care/after school costs and who is responsible for paying. Make finding if cost is reasonable.
- Determine obligation/monthly base support.
- Order monthly base support and payment to Florida Disbursement Unit. Give Speed credit if father requests it and has other children in the home.
- Determine time sharing schedule to determine a credit for overnight time sharing.
- Order retroactive amount. Give the father credit for father's past payments, if any. Determine repayment of the retroactive amount adjudicated.
- Order Income Deduction Order (IDO).
- Order party to provide medical insurance if reasonably available.
- Order split in medical expenses beyond insurance.
- Make sure that there is a termination date as each child turns 18, and the order specifies a drop down to the next amount of child support.
- Verify that DOR has costs. Order court costs.