**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR**

**CHARLOTTE COUNTY, FLORIDA CIVIL ACTION**

IN RE: THE MATTER OF

Petitioner,

and Case No. CA

Respondent.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**ORDER OF REFERRAL TO MAGISTRATE AND NOTICE OF HEARING**

THIS CASE IS REFERRED TO THE GENERAL MAGISTRATE on the following issues:

and any other matter related thereto.

IT IS FURTHER ORDERED that the above issues are referred to Magistrate Robert F. Koch for further proceedings, under Rule 12.490 of the Florida Family Law Rules of Procedure and current administrative orders of the Court. The Magistrate is authorized to administer oaths and conduct hearings, which may include taking of evidence, and shall file a report and recommendations that contain findings of fact, conclusions of law, and the name of the court reporter, if any. The parties shall coordinate necessary and available hearing times directly with the Magistrate’s office by calling 941-637-2213, and shall file and serve appropriate notices of hearing. Counsel and/or Pro Se parties may contact the Administrative Office of the Courts, reception desk phone number 941-637-2281 no earlier than the Friday prior to hearing in order to find out in which **courtroom** the hearing will be conducted.

**HEARING PLACE AND TIME**

The hearing before the Magistrate on these issues shall be held on  **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ a.m./p.m.** at the Charlotte County Justice Center, 350 East Marion Avenue, 4th Floor, Punta Gorda, FL 33950. \_\_\_\_\_\_\_\_\_\_\_\_\_ (\_\_\_\_\_\_) minutes have been reserved for this hearing. The time reserved for the hearing is to be split evenly by the parties. If either party requires additional time, that party must contact the Magistrate’s Assistant within 5 days of receipt of this Order.

The Magistrate shall hold such hearings as deemed necessary and shall file, as soon as practicable, a Recommended Order of the Magistrate. If required by the Magistrate, the attorneys shall prepare a Recommended Order of the Magistrate. Failure to submit said Recommended Order of the Magistrate in a timely manner may result in sanctions being imposed by the presiding Circuit Court Judge.

**If the matter before the Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD**.

**A REFERRAL TO A MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BY A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BY THE MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN TEN (10) DAYS OF THE TIME OF SERVICE OF THIS ORDER AND PROVIDE A COPY TO ALL INTERESTED PARTIES. IF THE TIME SET FOR THE HEARING IS LESS THAN 10 DAYS AFTER SERVICE OF THIS ORDER, THE OBJECTION MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST TWENTY (20) DAYS AFTER SERVICE OF PROCESS, THE TIME TO FILE AN OBJECTION IS EXTENDED TO THE TIME WITHIN WHICH A RESPONSIVE PLEADING IS DUE. FAILURE TO FILE A WRITTEN OBJECTION WITHIN THE APPLICABLE TIME PERIOD IS DEEMED TO BE A CONSENT TO THE REFERRAL**.

If either party files a timely objection, this matter shall be returned to the undersigned judge with a notice stating the amount of time needed for hearing.

REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE MAGISTRATE SHALL BE BY EXCEPTIONS AS PROVIDED IN RULE 12.490(f), FLORIDA FAMILY LAW RULES OF PROCEDURE. A RECORD MAY BE REQUIRED TO SUPPORT EXCEPTIONS OR YOUR EXCEPTIONS MAY BE DENIED. **YOU ARE ADVISED THAT IN THIS CIRCUIT ELECTRONIC RECORDING IS PROVIDED BY THE COURT**. A PARTY MAY PROVIDE A COURT REPORTER AT THAT PARTY’S EXPENSE. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED FOR THE COURT’S REVIEW AND MUST FILE THE TRANSCRIPT WITHIN THE TIME PERIOD TO BE PROVIDED BY THE COURT, OR YOUR EXCEPTIONS MAY BE DENIED.

The Magistrate will retain authority to correct any errors or omissions or both in the original report by filing a corrected or amended report. If the magistrate intends to correct or amend the report, the Magistrate will notify the parties or their attorneys within fifteen (15) days of receipt of a copy of any exceptions filed. Such reservation of authority by the Magistrate does not restrict the jurisdiction of the circuit court to proceed on the exceptions previously filed, nor does the reservation of authority by the magistrate prevent a party from filing exceptions to the corrected or amended report.

DONE AND ORDERED in Chambers at Punta Gorda, Charlotte County, Florida this day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_.

BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

LEIGH FRIZZELL HAYES

CIRCUIT COURT JUDGE

Pursuant to Rule 12.080, Florida Family Law Rules, conformed copies have been mailed this \_\_\_\_\_ day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_\_ to the following:

Petitioner:

Respondent:

BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Judicial Assistant

If you are a person with a disability who needs any accommodation in order

to participate in this proceeding you are entitled, at no cost to you, to the provisions of certain assistance. Please contact Jon Embury, Administrative Services Manager, whose office is located at 350 E. Marion Avenue, Punta Gorda, Florida 33950, and whose telephone number is (941) 637-2110, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.