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.: DR

,

Respondent.

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

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

THIS CAUSE is referred to **General Magistrate, Robert F. Koch,** Civil Division, Twentieth Judicial Circuit, for further proceedings pursuant to Rule 12.490 of the *Florida Family Law Rules of Procedure* and current administrative orders of the Court on the following issues:

**[FILL IN SPECIFIC MOTION(S)/MATTER(S) BEING HEARD]**

and any other matter related thereto.

**HEARING PLACE AND TIME**

The hearing before the General Magistrate on these issues shall be held on**:**

**[DATE], 2019 at [TIME] a.m./p.m.** at the Charlotte County Justice Center, 350 East Marion Avenue, 4th Floor, Punta Gorda, FL 33950. **[LENGTH OF HEARING] ( )** 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. 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.

The General Magistrate is authorized to administer oaths and conduct hearings, as may be deemed necessary, which may include the taking of evidence. As soon as practicable, the General Magistrate shall file a Report and Recommendation, that contains findings of fact, conclusions of law, the name of the court reporter, if any.

If required by the General Magistrate, the attorneys shall prepare a Recommended Order of General Magistrate. Failure to submit said Recommended Order of General Magistrate in a timely manner may result in sanctions being imposed by the presiding Circuit Court Judge.

**If the matter before the General 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 GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BEFORE A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BEFORE THE GENERAL MAGISTRATE, YOU MUST FILE A WRITTEN OBJECTION TO THE REFERRAL WITHIN 10 DAYS OF THE TIME OF SERVICE OF THIS ORDER. IF THE TIME SET FOR THE HEARING IS LESS THAN 10 DAYS AFTER THE SERVICE OF THIS ORDER, THE OBJECTION MUST BE MADE BEFORE THE HEARING. IF THIS ORDER IS SERVED WITHIN THE FIRST 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.

**SHOULD YOU WISH TO SEEK REVIEW OF THE REPORT AND RECOMMENDATION MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE EXCEPTIONS IN ACCORDANCE WITH RULE 12.490(f), *FLORIDA FAMILY LAW RULES OF PROCEDURE*. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR EXCEPTIONS, OR YOUR EXCEPTIONS WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED IF NECESSARY 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.**

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 party may request an electronic certified copy of the proceeding on CD, at that party’s expense, and may then have the recording transcribed, at that party’s expense. Providing the Court with a copy of the CD, instead of a certified written transcript, is insufficient for review by the Court of exceptions. Media request forms, procedures, and fees, and a list of approved Transcriptionist are available on the Court’s website, [www.ca.cjis20.org](http://www.ca.cjis20.org), or by calling the Court’s electronic Court Reporting Department at 239-533-8207.

The General 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 General 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 General 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.

Proper dress is required. Shorts, tank or halter tops, undershirts, and individuals wearing caps or hats are forbidden. The judges have the authority to ban persons not appropriately dressed from participating in the proceedings.

**AMERICANS WITH DISABILITIES ACT**

**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.**

**[PLEASE REMOVE ANY RED DIRECTIVES BEFORE SUBMITTING**

**AND REVIEW FORMATTING TO FIX ANY ODD, NATURAL PAGE BREAKS BY ADDING OR REMOVING ANY UNNECESSARY SPACES OR HARD RETURNS.]**