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

CHARLOTTE COUNTY, FLORIDA PROBATE ACTION

IN RE: THE GUARDIANSHIP/ESTATE OF

, Case No.: CP

WARD.

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

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

THIS CAUSE is referred to **General Magistrate Robert F. Koch,** Probate Division, Twentieth Judicial Circuit, for further proceedings, pursuant to Rule 5.095 of the *Florida Probate Rules* 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], 2020 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 the location of the **courtroom** where the hearing will be conducted.

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

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

EXCEPT FOR MATTERS INVOLVING REVIEW OF GUARDIANSHIP INVENTORIES, ACCOUNTINGS AND PLANS, A REFERRAL TO A MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BY A JUDGE. AN OBJECTION TO THE REFERRAL TO THE MAGISTRATE MUST BE MADE BEFORE THE HEARING.

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 5.095 (h), *FLORIDA PROBATE RULES*. A RECORD WILL BE REQUIRED TO SUPPORT EXCEPTIONS OR YOUR EXCEPTIONS WILL BE DENIED. YOU ARE ADVISED THAT IN THIS CIRCUIT ELECTRONIC RECORDING IS PROVIDED BY THE COURT FOR GUARDIANSHIP PROCEEDINGS, BUT NO ELECTRONIC RECORDING IS PROVIDED BY THE COURT FOR PROBATE PROCEEDINGS. 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 WILL BE DENIED.**

DONE AND ORDERED in Chambers at Punta Gorda, Charlotte County, Florida.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DONALD H. MASON

JUDGE OF THE CIRCUIT COURT

Service List:

**[John Doe, Esq. <johndoe@court.com>**

**Jane Smith, 123 Elm Street, Anywhere, FL 12345]**

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.]**