IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA CIVIL DIVISION

IN RE THE MATTER OF:

and Case No.:

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

# ORDER OF REFERRAL TO MAGISTRATE

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

AND ANY OTHER MATTER RELATED THERETO.

IT IS FURTHER ORDERED that the above issues are referred to **Magistrate \_\_\_\_\_\_\_\_\_\_\_\_\_** for further proceedings, under *Rule 12.490 of the Florida Family Law Rules of Procedure* and current Administrative Orders of the Court. Financial Affidavits, *Florida Family Law Rules of* *Procedure Form 12.902(b) or (c)*, shall be filed in accordance with *Florida Family Law Rule of* *Procedure 12.285*. 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 Magistrate shall assign a time for the proceedings as soon as reasonably possible after this referral is made and shall give notice to each of the parties either directly or by directing counsel or a party to file and serve a notice of hearing.

Counties within the State of Florida may have different rules. Please consult the ( **X** ) Clerk of the Court ( )Family Law Staff ( ) other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ relating to this procedure.

A REFERRAL TO A GENERAL 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 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 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.

**REVIEW OF THE REPORT AND RECOMMENDATIONS MADE BY THE GENERAL MAGISTRATE SHALL BE BY EXCEPTIONS AS PROVIDED IN *RULE* *12.490(f), FLORIDA FAMILY LAW RULES OF PROCEDURE*. A RECORD, WHICH INCLUDES A TRANSCRIPT, MAY BE REQUESTED TO SUPPORT EXCEPTIONS.**

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.

YOU ARE ADVISED that in this Circuit, electronic recording is provided by the Court. Any party may also provide for a court reporter at that party’s expense.

IT IS THE RESPONSIBILITY OF COUNSEL OR PRO SE PARTIES TO COORDINATE, RETAIN AND PAY FOR THE SERVICES OF A QUALIFIED INTERPRETER IN ACCORDANCE WITH *RULE 2.565, FLA. R. JUD. ADMIN*., AS NECESSARY TO PREENT THEIR CASE, UNLESS THE COURT HAS ORDERED OTHERWISE. THE COURT MAY DETERMINE THAT THE COURT IS OBLIGATED TO PROVIDE AN INTERPRETER FOR A PARTY(IES) AT PUBLIC EXPENSE FOR ACTIONS IN WHICH A “FUNDAMENTAL INTEREST IS AT STAKE” (SUCH AS PATERNITY, TERMINATION OF PARENTAL RIGHTS), PURSUANT TO *RULE 2.560(b), FLA. R. JUD.* *ADMIN.* PAYMENT FOR THE INTERPRETER AT PUBLIC EXPENSE DOES NOT RELIEVE COUNSEL OR PRO SE PARTIES OF THEIR RESPONSBILITY TO NOTIFY THE COURT OF THE NEED FOR AN INTERPRETER.

ORDERED this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_\_.

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Circuit Judge

**Americans With Disabilities**

**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 provision of certain assistance. Please contact Brooke Dean, Operations Division Director, whose office is located in the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is 239-533-1771, at least 7 days before your scheduled 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.**

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this document was provided to the parties and/or attorneys of record at their designated addresses, as set forth below, on this \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_.

Petitioner/Attorney for Petitioner

Respondent/Attorney for Respondent

Magistrate’s Office

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

Legal Assistant