**Magistrate Bernardo’s Guidelines for Submitting Documents**

**IMPORTANT NOTE: (Please read)**

**When you efile proposed documents, please put the case number first, then the name of your document in the “Document Title” field on the “Add/Edit Document” screen when you submit the document. Do not put the words “case number” before the numerals. Please use the following format for the case number, 20CA-123, (two digit year, case type (CA, CP, GA, MH) and case number with no leading zeros).**

**You must select the parties to be served before submitting the document for review. If you have pro se parties who should receive a copy of the order, you must put them in the e-filing portal with their email address, if you have one, and select them to receive service, prior to submitting the order for review.**

**If your document is an emergency or time-sensitive, please put the word “emergency or urgent” before the case number in the “Document Title” field and call the office to let me know you have submitted a document that is time-sensitive.**

Please download the template for the Report and Recommendation of General Magistrate and Order Adopting Report and Recommendation here: <https://www.ca.cjis20.org/Documents/magistratedownloads.aspx>. Click on “View” to the right of the applicable template to open the template in Word and save the file.

Please insert the following information where noted:

* case caption,
* date of hearing,
* title of motion/petition/other matter, with date of filing,
* appearances of counsel/parties,
* date of entry (not filing) of order of referral,
* court reporter’s name, address, and telephone number, if applicable,
* selection regarding retention/waiver of exceptions period, and
* all mailing addresses for *pro se* parties, including next of kin for guardianship cases only, who have not designated an e-mail address in the Certificate of Service (designated e-mail addresses for attorneys of record will be included automatically).

In addition to the above matters, the Report should include all information necessary to support the Magistrate’s recommended ruling. This will include identifying all pleadings, motions, responses, or other papers which are relevant to the matter being heard and the parties’ respective assertions/positions on the matter. The “Findings of Fact and Conclusions of Law” section should state what the Magistrate finds “should” happen regarding the motion/matter, and the “Recommendation” section should state what the Court “shall” order regarding the motion/matter.

Please do not make changes to the form language in the template, and note that any such changes are subject to being stricken by the Magistrate. However, you may delete paragraphs related to a live court reporter if no live court reporter was present at the hearing and other paragraphs which do not apply under the facts of the case.

Please circulate the proposed Report, Order Adopting and any proposed orders/letters relating to the motions that were heard, to all counsel and *pro se* parties prior to submitting the Report and proposed orders/letters to the Magistrate. Please submit the proposed documents via the e-filing portal under the Magistrate’s name and state whether all parties are in agreement. Please note that all proposed Reports are subject to review and editing by the Magistrate, who reserves the right to make any changes to a proposed Report to ensure that it accurately reflects the Magistrate’s findings and recommendations.

If you elect to file an exception pursuant to the applicable rule of procedure, promptly send a courtesy copy to the Magistrate’s Assistant, Barbara, at mag-bernardohearings@ca.cjis20.org in order to ensure that a proposed Order adopting the Report is not sent to the presiding judge in error. Please bear in mind that court personnel cannot view recently-filed documents until they are approved by the Clerk, which usually takes 48 to 72 hours.

**Documents Submitted to the Court:**

**All submissions shall be made via the e-filing portal unless specifically directed by the Magistrate. The original motion must be filed with the clerk of court prior to scheduling a hearing.**

The movant shall e-file any legal authority or memoranda of law to be considered by the Magistrate at the scheduled hearing seven (7) business days prior to the hearing date.

Memoranda of law shall be double-spaced, and shall otherwise comply with Florida Rule of Appellate Procedure 9.100(l). When legal authority is provided, the important points thereof should be highlighted. String cites should be used sparingly and any conflict among the District courts of Appeals should be noted.

When submitting documents or proposed reports for the Magistrates consideration, counsel also shall submit contemporaneously a cover letter outlining the materials being directed to the magistrate and stating the reasons for such submissions. The cover letter must list all counsel and/or pro se parties to whom copies were sent. If submitting a proposed report or order, the cover letter must indicate that all counsel or pro se parties have reviewed the proposed submission and whether they have any objection to the same. If there is an objection, both parties should submit their proposed documents indicating their objections in the cover letter to the Magistrate, outlining and copying all parties with enclosures. Unless otherwise specified when requested by the Magistrate, all proposed reports and orders must be submitted to the Magistrate within seven (7) calendar days of the date of the hearing. Failure to timely provide proposed order may result in the matter being referred back to the presiding judge for the appropriate action.