

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR CLAY
COUNTY, FLORIDA

CASE NO.:
DIVISION:

In re: The marriage of

[Husband's name], Husband,
and
[Wife's name], Wife.

/

**ORDER OF REFERRAL TO GENERAL MAGISTRATE
FOR CONSIDERATION OF ALL INTERLOCUTORY MATTERS**

THIS CAUSE IS HEREBY REFERRED TO MAGISTRATE, **William H. Grant, III**, as follows:

A. Matters Referred.

This cause is referred to the General Magistrate on the following issues:

All non-final (interlocutory) matters, except for any motions on evidentiary issues pertaining to the final trial. This shall include, but is not necessarily limited to, all motions currently filed or hereafter filed relating to requests for temporary child custody, parental responsibility, visitation, spousal and child support.

B. Rule 12.490, Fla. Fam. L. R. P.

The above issues are referred to the General Magistrate, William H. Grant, III, 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.

C. Notice of Hearing.

Either party may schedule any interlocutory matter for hearing before the Magistrate by coordinating a hearing date and time with the Magistrate's assistant (904-278-3668) and

opposing counsel/party. The party setting the motion for hearing shall prepare and serve a notice of hearing. No further order of referral is required.

D. Consent of Parties/Objections to Referral.

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.

If either party files a timely objection, this matter shall be returned to the Judge in the division to which the case is assigned.

YOU MUST SERVE A COPY OF YOUR WRITTEN OBJECTION TO THE REFERRAL ON ALL PARTIES, AS WELL AS THE MAGISTRATE. SERVICE TO THE MAGISTRATE SHOULD BE BY FACSIMILE (904-278-3603). THE OBJECTION SHOULD STATE THE AMOUNT OF TIME NEEDED FOR THE HEARING ON THE CIRCUIT JUDGE'S CALENDAR.

E. Exceptions to Magistrate's Report and Recommendations.

REVIEW OF THE MAGISTRATE'S REPORT AND RECOMMENDATIONS SHALL BE BY EXCEPTIONS AS PROVIDED IN RULE 12.490(F), FLORIDA FAMILY LAW RULES OF PROCEDURE. A RECORD WHICH INCLUDES A TRANSCRIPT OF THE PROCEEDINGS BEFORE THE MAGISTRATE MAY BE REQUIRED TO SUPPORT EXCEPTIONS.

You are advised that in this circuit electronic recording is provided by the court. A party may bring a court reporter at that party's expense.

IF YOU SEEK REVIEW OF THE REPORT AND RECOMMENDATION MADE BY THE 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.

F. Duration of referral.

This referral shall be effective through all temporary proceedings, and shall continue in effect unless and until the case is set for trial before a circuit judge. In the event that trial is to be set before the Magistrate, a separate order of referral shall be required.

DONE and ORDERED in Chambers at Green Cove Springs, Clay County, Florida, this

_____ day of January 2006.

CIRCUIT JUDGE

Copies furnished to:

In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in the proceeding in Duval County or Clay County should contact Court Administration for assistance no later than seven (7) days before the proceeding at (904) 630-2564. If notice to the individual of a deposition, court date, subpoena, etc., is less than seven (7) days, the individual should contact the appropriate office as soon as possible after receiving that notice. If hearing impaired, telephone 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.