

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
ESCAMBIA COUNTY**

**ADMINISTRATIVE DIRECTIVE ECAD 2022-04
(VACATES ECAD 2022-03)**

IN RE: FORM ORDER FOR REFERRAL TO GENERAL MAGISTRATE

Effective upon entry of this order, and pursuant to the Florida Family Law Rules of Procedure, active administrative orders, and administrative directives in Escambia County, the attached “Order of Referral to General Magistrate” form is to be entered in all cases in which a presiding Family Law Judge wishes to refer qualifying issues related to Family Law cases to the General Magistrate.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 14th day of April, 2022.

/S/ JOHN F. SIMON, JR.
JOHN F. SIMON, JR.
ADMINISTRATIVE JUDGE

Copies furnished to:

All Judges, Escambia County
General Magistrates, Escambia County
Pam Childers, Clerk of Court, Escambia County
Robin Wright, Trial Court Administrator
For publication: www.FirstJudicialCircuit.org

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA
FAMILY LAW DIVISION**

Petitioner,

and

CASE NO.:

DIV.:

Respondent,

_____ /

ORDER OF REFERRAL TO GENERAL MAGISTRATE

IT IS ORDERED that this case is referred to General Magistrate [name] on the following issues:

All issues related to the petition and counter-petition, if any, including motions for temporary relief, petitions to relocate, motions for contempt or enforcement, motions for attorney's fees, final hearing and any other matters related thereto. Referred issues include post final judgment contempt, enforcement and clarification motions, and motions brought under Family Law Rule 12.540. A subsequent order of referral must be entered upon the filing of a supplemental petition for modification of a final judgment or a petition for relocation filed after entry of a final judgment.

Any and all proceedings related to the above-referenced case.

IT IS FURTHER ORDERED that the above issues are referred to a General 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 recommended order that contains findings of fact, conclusions of law, and the name of the court reporter, if any.

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 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 FILED BEFORE COMMENCEMENT OF 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.

REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE MUST BE BY A MOTION TO VACATE AS PROVIDED IN RULE 12.490(e), FLORIDA FAMILY LAW RULES OF PROCEDURE. A RECORD, WHICH INCLUDES A TRANSCRIPT OF PROCEEDINGS, IS REQUIRED TO SUPPORT THE MOTION TO VACATE, UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE.

YOU ARE ADVISED THAT IN THIS CIRCUIT an electronic recording is provided by the court. A party may provide a court reporter at that party's expense.

SHOULD YOU WISH TO SEEK REVIEW OF THE RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(e), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR MOTION TO VACATE OR YOUR MOTION WILL BE DENIED. A RECORD ORDINARILY INCLUDES A WRITTEN TRANSCRIPT OF ALL RELEVANT PROCEEDINGS UNLESS WAIVED BY ORDER OF THE COURT PRIOR TO ANY HEARING ON THE MOTION TO VACATE. THE PERSON SEEKING REVIEW MUST HAVE THE TRANSCRIPT PREPARED FOR THE COURT'S REVIEW.

DONE and ORDERED in Pensacola, Escambia County, Florida.

CIRCUIT JUDGE

Copies to:
General Magistrate
Petitioner
Respondent