

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA**

**ADMINISTRATIVE DIRECTIVE NO: OCAD2023-10
(Vacates OCAD2022-05 and OCAD2023-06)**

**RE: PROCEDURE REGARDING THE REFERRAL OF CASES TO THE GENERAL
MAGISTRATE**

WHEREAS, pursuant to Administrative Order 2023-23, John K. Reed has been appointed as the General Magistrate in Okaloosa County, Florida, for the First Judicial Circuit and is authorized to handle all matters pursuant to Rule 1.490, Florida Rules of Civil Procedure, and pursuant to Rule 12.490 and 12.491, Florida Family Law Rules of Procedure; and

WHEREAS, pursuant to the Florida Rules of Civil Procedure, Florida Family Law Rules of Procedure, Florida Rules of Juvenile Procedure, Florida Probate Rules, Chapters 394 and 397 Florida Statutes, the General Magistrate is authorized to handle all matters as set forth in those Procedures, Rules and Statutes; and

WHEREAS, pursuant to the provisions of Administrative Order 2007-51, General Magistrates appointed within the First Judicial Circuit have been appointed to hear all matters arising from the Baker and Marchman Acts, Chapters 394 and 397 Florida Statutes; and

WHEREAS, in accordance with the Florida Rules of Judicial Administration, there is a need to provide the efficient and expeditious progress of certain matters pending before the Circuit Court for Okaloosa County, Florida, to ensure that all cases are heard and disposed of in a timely fashion; and

WHEREAS, it is in the best interest of all litigants before the Circuit Court for Okaloosa County, Florida, to make an expedient determination of which cases may be referred to the General Magistrate appointed for Okaloosa County, Florida, for further proceedings. Therefore, it is,

ORDERED AND ADJUDGED:

1. **EFFECTIVE DATE:** The administrative policies and procedures herein, shall be effective August 23, 2023.
2. **APPLICABILITY:** All referrals to the General Magistrate shall be made as set forth herein. Additionally, all referrals currently pending before the General Magistrate shall be re-referred to John K. Reed, the appointed General Magistrate, pursuant to Administrative Order 2023-23.
3. **ORDERS OF REFERRAL PROVIDED BY THE CLERK OF THE COURT:** Effective pursuant to the entry of this Administrative Directive, the Clerk of Court for Okaloosa County, Florida, is hereby directed to issue an Order of Referral to the General Magistrate in all domestic relations cases. No such referral shall be issued for domestic violence injunctions. *See* Order of Referral, attached as Exhibit "A".
4. **MATTERS HANDLED BY GENERAL MAGISTRATE:** All of the following matters shall be handled by the General Magistrate:

- a. Simplified Dissolution of Marriage Petitions;
 - b. All pro se Family Law matters;
 - c. All requests for Temporary Relief;
 - d. All discovery disputes;
 - e. All post-judgment Family Law matters, including but not limited to modifications, contempt, enforcement, and petitions to relocate; and
 - f. Any and all matters related thereto.
5. BAKER AND MARCHMAN ACT PROCEEDINGS: Under the direction of any Judge assigned to the handle Mental Health matters, the General Magistrate shall hear all matters arising from the Baker and Marchman Act proceedings in Okaloosa County, Florida.
 6. DEPENDENCY MATTERS: Under the direction of any Judge assigned to handle Dependency Cases, the General Magistrate shall supervise and review Dependency Drug Court.
 7. CHILD SUPPORT & RECUSALS FROM THE CHILD SUPPORT HEARING OFFICER: Appointed as the Child Support Enforcement Hearing Officer, the General Magistrate shall hear all child support enforcement matters pursuant to the provisions set forth in the Administrative Orders regarding those enforcement hearings at the Okaloosa County Courthouse, located in Crestview, Florida. Additionally, the General Magistrate shall hear any Child Support Enforcement Hearing in which the Hearing Officer has recused him or herself or has been disqualified. In matters such as these, an Order of Referral is not required.
 8. TRUANCY MATTERS: Under the direction of any Judge assigned to handle Dependency Cases, the General Magistrate shall supervise, hear, and/or review any initial petitions and/or status review hearings in the Truancy Court.
 9. SEPARATE ORDERS OF REFERRAL FOR OTHER MATTERS: To maintain the equitable division of cases, individual matters, and other matters as specified in this Administrative Directive, any referral to the General Magistrate shall remain integral to the equitable and efficient division of cases as set forth in Administrative Order 2012-06. In order to maintain the equitable division of cases and individual matters, any matter other than as specified in this Administrative Directive, shall not be referred to the General Magistrate without prior consultation with and agreement of the Administrative Judge and General Magistrate, in Okaloosa County, Florida.

DONE AND ORDERED at Fort Walton Beach, Okaloosa County, Florida this 2nd day of August 2023.

/S/ WILLIAM F STONE
WILLIAM F. STONE
ADMINISTRATIVE JUDGE

Administrative Directive No. OCAD2023-10

Copies furnished to:

Honorable John L. Miller, Chief Judge
All Circuit and County Judges, Okaloosa County
Kasey Watson, Trial Court Administrator
Ursula Hall, Court Operations Manager, Okaloosa County
Okaloosa Clerk of Circuit Court
Escambia-Santa Rosa Bar Association
Okaloosa Bar Association
Walton Bar Association
Honorable J.D. Peacock II, Clerk of Circuit Court

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT,
IN AND FOR OKALOOSA COUNTY, FLORIDA

XXXXXXXXXXXXXXXXXX,

Petitioner,

and

Case No.: [YEAR] DR XXXXX

XXXXXXXXXXXXXXXXXX,

Respondent.

_____ /

ORDER OF REFERRAL TO GENERAL MAGISTRATE

THIS CASE IS REFERRED TO THE GENERAL MAGISTRATE on all of the following:

1. Petition for Simplified Dissolution of Marriage;
2. All Pro Se Family Law Matters;
3. All requests for temporary relief in all cases;
4. All discovery disputes in all cases;
5. All post judgment family law matters, including but not limited to modifications, contempt/enforcement, and petitions to relocate;

AND ANY OTHER MATTER RELATED THERETO.

ADDITIONALLY, when a motion or petition is referred to the General Magistrate for disposition, then all matters connected therewith such as discovery motions and motion to require production of documents and other evidence and to enforce such requirements; motions for continuances; motions to dismiss the referred matter; motions for temporary relief; motions to compel attendance of witnesses and to enforce orders compelling such attendance; motions for child testimony; motions to testify telephonically; motions for attorney's fees incurred on the matter referred, both temporary and permanent; motions to recover costs; and any other procedural motions directly related to the referred matter **are to be solely heard by the General Magistrate.**

IT IS FURTHER ORDERED that the above issues are referred to **General Magistrate John K. Reed**, 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 General 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, telephone number and email address of the court reporter, if any.

The General 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 Clerk of the Court 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 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.

ORDERED in Okaloosa County, Florida on [MONTH], [DAY], 2023, and becomes effective on [DATE]. 2023, at [TIME] [a.m./p.m.].

WILLIAM F. STONE
ADMINISTRATIVE JUDGE

I hereby certify that a copy of the foregoing was furnished to:

_____Petitioner (or his or her attorney) _____ along with a copy for service upon
Respondent

_____Respondent (or his or her attorney) _____ along with a copy for service upon
Petitioner

Eon _____. The filing party in the case shall have the responsibility to serve the other party a copy of this Order and file a Certificate of Compliance stating same has been done with the Clerk of Court within five business days as proof of the service upon the other party.

JD PEACOCK II
CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk