

Petitioner,

and

Respondent.

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

FAMILY DIVISION
Case No.:

Section: 12

ORDER OF REFERRAL TO GENERAL MAGISTRATE

THIS CASE IS REFERRED TO THE GENERAL MAGISTRATE on the following motion and all issues and related matters contained therein:

MOTION: _____ **DATED:** _____

PETITION: _____ **DATED:** _____

IT IS FURTHER ORDERED that the above matter(s) and responses are referred to **General Magistrate** _____ for further proceedings, pursuant to rule 12.490 of the Florida Family Law Rules of Procedure and current administrative orders of the court. Financial affidavits (Family Law Form 12.901(d) or (e)), shall be filed in accordance with rule 12.285, Florida Family Law Rules of Procedure. The General 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.

A time and place shall be assigned for the proceedings as soon as reasonably possible after this referral is made and notice shall be given to each of the parties either by the General Magistrate or one or more of the parties.

A Motion for Continuance of a Hearing which is set before the General Magistrate pursuant to an Order of Referral shall be set before that General Magistrate.

Requests for Appointment of Guardian Ad Litem, Experts and Health Care Professionals may be heard by the General Magistrates if related to a matter previously referred and pending before the General Magistrate.

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 undersigned judge with a notice stating the amount of time needed for hearing.

IF REQUIRED BY A GENERAL MAGISTRATE, THE ATTORNEYS SHALL PREPARE A PROPOSED REPORT. FAILURE TO SUBMIT SAID PROPOSED REPORT ON A TIMELY BASIS MAY RESULT IN SANCTIONS BEING IMPOSED BY THE CIRCUIT COURT JUDGE.

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 REQUIRED TO SUPPORT EXCEPTIONS.

YOU ARE ADVISED THAT IN THIS CIRCUIT 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 REPORT AND RECOMMENDATION MADE BY THE GENERAL 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.

After conclusion of the proceedings, if exceptions to the General Magistrate's Report are filed, A COPY OF SAME SHALL BE CONTEMPORANEOUSLY SUBMITTED TO THE GENERAL MAGISTRATE and the General Magistrate shall have reserved jurisdiction to conduct such re-hearing as the General Magistrate determines appropriate. Such reservation shall not restrict the jurisdiction of the circuit court to proceed on the exceptions.

DONE and **ORDERED** in Miami-Dade County, Florida, on this the _____ day of _____, 2021.

CIRCUIT COURT JUDGE LAURA SHEARON CRUZ

Copies furnished to:

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 Aliean Simpkins, the Eleventh Judicial Circuit Court's ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1st Ave., Suite 2400, Miami, FL 33128, Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355, Email: ADA@jud11.flcourts.org at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.