

**RULE 12.490. GENERAL MAGISTRATES**

(a) **General Magistrates.** Judges of the circuit court may appoint as many general magistrates from among the members of The Florida Bar in the circuit as the judges find necessary, and the general magistrates will continue in office until removed by the court. The order making an appointment must be recorded. Every person appointed as a general magistrate must take the oath required of officers by the constitution and the oath must be recorded before the magistrate discharges any duties of that office.

(b) **Reference.**

(1) No matter shall be heard by a general magistrate without an appropriate order of reference and the consent to the referral of all parties. Consent, as defined in this rule, to a specific referral, once given, cannot be withdrawn without good cause shown before the hearing on the merits of the matter referred. Consent may be express or may be implied in accordance with the requirements of this rule.

(A) A written objection to the referral to a general magistrate must be filed within 10 days of the service of the order of referral.

(B) If the time set for the hearing is less than 10 days after service of the order of referral, the objection must be filed before commencement of the hearing.

(C) If the order of referral is served within the first 20 days after the service of the initial process, the time to file an objection is extended to the time within which to file a responsive pleading.

(D) Failure to file a written objection within the applicable time period is deemed to be consent to the order of referral.

(2) The order of referral ~~shall~~must be in substantial conformity with Florida Family Law Rules of Procedure Form 12.920(b), and ~~shall~~must contain the following language in bold type:

**A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE  
CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS**

MATTER HEARD BEFORE A JUDGE. IF YOU DO NOT WANT TO HAVE THIS MATTER HEARD BEFORE 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 THE 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.

~~REVIEW OF THE REPORT AND RECOMMENDATIONS~~  
~~RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE~~  
~~SHALL MUST BE BY EXCEPTIONS A MOTION TO VACATE AS~~  
 PROVIDED IN RULE 12.490(f), FLA. FAM. L. R. P. A RECORD,  
 WHICH INCLUDES A TRANSCRIPT OF PROCEEDINGS, ~~MAY BE~~ IS  
 REQUIRED TO SUPPORT THE ~~EXCEPTIONS~~ MOTION TO VACATE.

(3) The order of referral must state with specificity the matter or matters being referred and the name of the specific general magistrate to whom the matter is referred. The order of referral must also state whether electronic recording or a court reporter is provided by the court, or whether a court reporter, if desired, must be provided by the litigants.

(4) When a reference is made to a general magistrate, any party or the general magistrate may set the action for hearing.

(c) **General Powers and Duties.** Every general magistrate ~~shall~~ must perform all of the duties that pertain to the office according to the practice in chancery and rules of court and under the direction of the court except those duties related to injunctions for protection against domestic, repeat, dating, and sexual violence, and stalking. A general magistrate is empowered to administer oaths and conduct hearings, which may include the taking of evidence. All grounds for disqualification of a judge ~~shall~~ must apply to general magistrates.

(d) **Hearings.**

(1) The general magistrate must assign a time and place for proceedings as soon as reasonably possible after the reference is made and give notice to each of the parties either directly or by directing counsel to file and serve a notice of hearing. If any party fails to appear, the general magistrate may proceed ex parte or may adjourn the proceeding to a future day, giving notice to the absent party of the adjournment. The general magistrate must proceed with reasonable diligence in every reference and with the least delay practicable. Any party may apply to the court for an order to the general magistrate to speed the proceedings and to make the report and to certify to the court the reason for any delay.

(2) The general magistrate must take testimony and establish a record which may be by electronic means as provided by Florida Rule of Judicial Administration 2.535(h)(4) or by a court reporter. The parties may not waive this requirement.

(3) The general magistrate has the authority to examine under oath the parties and all witnesses upon all matters contained in the reference, to require production of all books, documents, writings, vouchers, and other documents applicable to it, and to examine on oath orally all witnesses produced by the parties. The general magistrate may take all actions concerning evidence that can be taken by the circuit court and in the same manner. The general magistrate has the same powers as a circuit judge to utilize communications equipment as defined and regulated by Florida Rule of Judicial Administration 2.530.

(4) The notice or order setting the cause for hearing must be in substantial conformity with Florida Family Law Rules of Procedure Form 12.920(c) and must contain the following language in bold type:

**SHOULD YOU WISH TO SEEK REVIEW OF THE ~~REPORT~~  
~~AND RECOMMENDATION~~ RECOMMENDED ORDER  
 MADE BY THE GENERAL MAGISTRATE, YOU MUST  
 FILE ~~EXCEPTIONS~~ A MOTION TO VACATE IN  
 ACCORDANCE WITH RULE 12.490(~~fe~~), FLA. FAM. L. R. P.  
 YOU WILL BE REQUIRED TO PROVIDE THE COURT  
 WITH A RECORD SUFFICIENT TO SUPPORT YOUR  
~~EXCEPTIONS OR YOUR EXCEPTIONS~~ MOTION TO  
VACATE OR YOUR MOTION 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.

(5) The notice or order setting a matter for hearing must state whether electronic recording or a court reporter is provided by the court. If the court provides electronic recording, the notice shall also state that any party may provide a court reporter at that party's expense.

~~(e) — **General Magistrate's Report.** The general magistrate shall file a report that includes findings of fact and conclusions of law, together with recommendations. If a court reporter was present, the report shall contain the name and address of the reporter.~~

~~(f) — **Filing Report; Notice; Exceptions.** The general magistrate shall file the report and recommendations and serve copies on all parties. The parties may file exceptions to the report within 10 days from the time it is served on them. Any party may file cross-exceptions within 5 days from the service of the exceptions, provided, however, that the filing of cross-exceptions shall not delay the hearing on the exceptions unless good cause is shown. If no exceptions are filed within that period, the court shall take appropriate action on the report. If exceptions are filed, they shall be heard on reasonable notice by either party or the court.~~

### **Entry of Order and Relief From Order.**

(1) The general magistrate must submit a recommended order to the court that includes findings of fact and conclusions of law.

(2) The general magistrate must retain jurisdiction over the subject matter of any motion for clarification and/or motion for reconsideration and shall rule on same prior to the court hearing any motion to vacate.

(3) Upon receipt of a recommended order, the court must review the recommended order and must enter the order promptly unless good cause appears to amend the order, conduct further proceedings, or refer the matter back to the general magistrate to conduct further proceedings.

(4) If a court reporter was present, the recommended order must contain the name and address of the reporter.

(5) Any party affected by the order may move to vacate the order by filing a motion to vacate within 10 days from the date of rendition. Any party may file a cross-motion to vacate within 5 days of service of a motion to vacate, provided, however, that the filing of a cross-motion to vacate must not delay the hearing on the motion to vacate unless good cause is shown.

(6) A motion to vacate the order must be heard within 30 days after the movant applies for the hearing on the motion.

**(gf) Record.** For the purpose of the hearing on ~~exceptions~~a motion to vacate, a record, substantially in conformity with this rule, must be provided to the court by the party seeking review ~~if necessary~~ for the court's review.

(1) The record must consist of the court file, including the transcript of the relevant proceedings before the general magistrate and all depositions and evidence presented to the general magistrate.

(2) The transcript of all relevant proceedings, if any, must be delivered to the judge and provided to all other parties not less than 48 hours before the hearing on ~~exceptions~~a motion to vacate. If less than a full transcript of the proceedings taken before the general magistrate is ordered prepared by the ~~excepting~~moving party, that party must promptly file a notice setting forth the portions of the transcript that have been ordered. The responding parties must be permitted to designate any additional portions of the transcript necessary to the adjudication of the issues raised in the ~~exceptions~~motion to vacate or ~~exceptions~~motion to vacate.

(3) The cost of the original and all copies of the transcript of the proceedings is borne initially by the party seeking review, subject to appropriate assessment of suit monies. Should any portion of the transcript be required as a result of a designation filed by the responding party, the party making the designation bears the initial cost of the additional transcript.

## Court Commentary

**1995 Adoption.** This rule is a modification of Florida Rule of Civil Procedure 1.490. That rule governed the appointment of both general and special masters. The appointment of special masters is now governed by Florida Family Law Rule of Procedure 12.492. This rule is intended to clarify procedures that were required under rule 1.490, and it creates additional procedures. The use of general masters should be implemented only when such use will reduce costs and expedite cases in accordance with *Dralus v. Dralus*, 627 So.2d 505 (Fla. 2d DCA 1993), *Wrona v. Wrona*, 592 So.2d 694 (Fla. 2d DCA 1991), and *Katz v. Katz*, 505 So.2d 25 (Fla.4th DCA 1987).

## Committee Notes

**2004 Amendment.** In accordance with Chapter 2004-11, Laws of Florida, all references to general master were changed to general magistrate.

**2015 Amendment.** Subdivision (b)(3) has been amended to clarify that the order of referral must include the name of the specific general magistrate to whom the matter is being referred and who will conduct the hearing and that concurrent referrals to multiple general magistrates is inappropriate.

**INSTRUCTIONS FOR FLORIDA FAMILY LAW RULES OF PROCEDURE  
FORMS 12.920(a), MOTION FOR REFERRAL TO GENERAL MAGISTRATE,  
12.920(b), ORDER OF REFERRAL TO GENERAL MAGISTRATE, and  
12.920(c), NOTICE OF HEARING BEFORE GENERAL MAGISTRATE (09/12)  
(--/--)**

**When should these forms be used?**

A **general magistrate** is an attorney appointed by a **judge** to take testimony and recommend ~~decisions~~orders on certain matters connected with a divorce. These ~~recommendations~~recommended orders are then reviewed and entered by the judge ~~and are generally approved~~ unless contrary to the law or the facts of the case. The primary purposes of having general magistrates hear family law matters are to reduce the costs of litigation and to speed up cases. Either **party** may request that their case, or portions of their case, be heard by a general magistrate by filing **Motion for Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(a). You must also prepare an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to submit to the judge assigned to your case.

Many times, the court, either on its own motion or under current administrative orders of the court, may refer your case to a general magistrate. Even in those instances, you may be required to prepare and submit an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to the judge.

Once a general magistrate has been appointed to your case, the general magistrate will assign a time and place for a **hearing** as soon as reasonably possible after the referral is made. The general magistrate will give notice of that hearing to each of the parties directly or will direct a party or attorney in the case to file and serve a notice of hearing on the other party. If you are asked to send the notice of hearing, you will need to use the form entitled **Notice of Hearing Before General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(c). Regardless of who prepares the notice of hearing, the moving party (the one who requested referral to the general magistrate) is required to have the notice properly served on the other party.

These forms should be typed or printed in black ink. After completing this form, you should **file** the ~~original~~original ~~these documents~~ with the **clerk of the circuit court** in the county where your case is filed and keep a copy for your records.

**IMPORTANT INFORMATION REGARDING E-FILING**

**THIS LANGUAGE APPLIES ONLY TO FLORIDA FAMILY LAW RULES OF PROCEDURE FORMS 12.920(a) and 12.920(c) BUT DOES NOT APPLY TO FLORIDA FAMILY LAW RULE OF PROCEDURE FORM 12.920(b).**

The Florida Rules of Judicial Administration now require that all petitions, pleadings, and documents be filed electronically except in certain circumstances. **Self-represented litigants may file petitions or other pleadings or documents electronically, however, they are not required to do so.** If you choose to file your pleadings or other documents electronically, you must do so in accordance with Florida Rule of Judicial Administration 2.525, and you must follow the procedures of the judicial circuit in which you file. The rules and procedures should be carefully read and followed.

The copy you are providing to the other party must be either mailed, e-mailed, or hand-delivered to the opposing party or his or her attorney on the same day indicated on the certificate of service. If it is mailed, it must be postmarked on the date indicated in the certificate of service.

### **IMPORTANT INFORMATION REGARDING E-SERVICE ELECTION**

After the initial service of process of the petition or supplemental petition by the Sheriff or certified process server, the Florida Rules of Judicial Administration now require that all documents required or permitted to be served on the other party must be served by electronic mail (e-mail) except in certain circumstances. You must strictly comply with the format requirements set forth in the Rules of Judicial Administration. If you elect to participate in electronic service, which means serving or receiving pleadings by e-mail, or through the Florida Courts E-Filing Portal, you must review Florida Rule of Judicial Administration 2.516. You may find this rule at [www.flcourts.org](http://www.flcourts.org) through the link to the Rules of Judicial Administration provided under either Family Law Forms: Getting Started, or Rules of Court in the A-Z Topical Index.

**SELF-REPRESENTED LITIGANTS MAY SERVE DOCUMENTS BY E-MAIL, HOWEVER, THEY ARE NOT REQUIRED TO DO SO.** If a self-represented litigant elects to serve and receive documents by e-mail, the procedures must always be followed once the initial election is made.

To serve and receive documents by e-mail, you must designate your e-mail addresses by using the **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915, and you must provide your e-mail address on each form on which your signature appears. Please **CAREFULLY** read the rules and instructions for: **Certificate of Service (General)**, Florida Supreme Court Approved Family Law Form 12.914; **Designation of Current Mailing and E-mail Address**, Florida Supreme Court Approved Family Law Form 12.915; and Florida Rule of Judicial Administration 2.516.

### **What should I do next?**

If you are filing a **Motion for Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(a), you need to send or deliver your motion directly to the judge assigned to your case, along with an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), and an addressed, stamped envelope for each party in the case. The judge will then either grant or deny the motion, usually without a hearing.

If you are required to submit an **Order of Referral to General Magistrate**, Florida Family Law Rules of Procedure Form 12.920(b), to the judge assigned to your case, you will need to send or deliver the order directly to the judge, along with addressed, stamped envelopes for each party in the case.

The party who prepares any of these forms must file ~~the original~~ this document with the clerk of the circuit court. A copy of the motion must be served on any other party in your case. **Service** must be in accordance with Florida Rule of Judicial Administration 2.516.

### Where can I look for more information?

**Before proceeding, you should read General Information for Self-Represented Litigants found at the beginning of these forms.** The words that are in **bold underline** in these instructions are defined there. For further information, see Florida Family Law Rule of Procedure rule 12.490,.

### Special notes...

**IMPORTANT: After the judge refers your case to a general magistrate, either party (including the party who was required to prepare and submit the Order of Referral) may object to the referral within 10 days of the date that the referral is made (if the Order of Referral is served by mail, the parties have an additional 5 days within which to object to the referral). Every litigant is entitled to have his or her case heard by a judge.** However, before you decide to object to an Order of Referral to General Magistrate, you should consider the potential extra costs and time delays that may result from having a judge hear your case instead of a general magistrate. You may want to speak with an attorney in your area who can assist you in making a more informed decision regarding whether you should file an objection to an Order of Referral to General Magistrate.

Remember, a person who is NOT an attorney is called a nonlawyer. If a nonlawyer helps you fill out these forms, that person must give you a copy of **Disclosure from Nonlawyer**, Florida Family Law Rules of Procedure Form 12.900(a), before he or she helps you. A nonlawyer helping you fill out these forms also **must** put his or her name, address, and telephone number on the bottom of the last page of every form he or she helps you complete.

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_  
Petitioner,

and

\_\_\_\_\_  
Respondent.

**MOTION FOR REFERRAL TO GENERAL MAGISTRATE**

I, *{full legal name}* \_\_\_\_\_, request that the Court enter an order referring this case to a general magistrate. The case should be referred to a general magistrate on the following issues: *{explain}*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that a copy of this document was [check all used]: ( ) e-mailed ( ) mailed ( ) faxed ( ) hand delivered to the person(s) listed below on *{date}* \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_

\_\_\_\_\_  
Signature of Party or his/her attorney:  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_  
E-mail Address(es): \_\_\_\_\_  
Florida Bar Number: \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in **all** blanks] This form was prepared for the: *{choose only one}* ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{name of business}* \_\_\_\_\_,

*{address}* \_\_\_\_\_, *{city}*

\_\_\_\_\_, *{state}* \_\_\_\_\_, *{telephone number}*

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_

Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

### ORDER OF REFERRAL TO GENERAL MAGISTRATE

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

AND ANY OTHER MATTER RELATED THERETO.

IT IS FURTHER ORDERED that the above issues are referred to General Magistrate

*{name}*

\_\_\_\_\_,  
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 ~~report and recommendations~~ recommended order that contains findings of fact, conclusions of law, and the name 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 (.....) Family Law Intake Staff (.....) other \_\_\_\_\_ 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 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.

**REVIEW OF THE ~~REPORT AND RECOMMENDATIONS~~ RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE SHALL BE BY ~~EXCEPTIONS~~ A MOTION TO VACATE AS PROVIDED IN RULE 12.490(~~fe~~), FLORIDA FAMILY LAW RULES OF PROCEDURE. A RECORD, WHICH INCLUDES A TRANSCRIPT, ~~MAY BE~~ IS REQUIRED TO SUPPORT ~~EXCEPTIONS~~ THE MOTION TO VACATE.**

YOU ARE ADVISED THAT IN THIS CIRCUIT:

- a. \_\_\_\_\_ electronic recording is provided by the court. A party may provide a court reporter at that party's expense.
- b. \_\_\_\_\_ a court reporter is provided by the court.
- c. \_\_\_\_\_ no electronic recording is provided by the court and the court does not provide a court reporter. A party may provide a court reporter at that party's expense.

**SHOULD YOU WISH TO SEEK REVIEW OF THE ~~REPORT AND RECOMMENDATION~~ RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE ~~EXCEPTIONS~~ A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(~~fe~~), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR ~~EXCEPTIONS~~ MOTION TO VACATE, OR YOUR ~~EXCEPTIONS~~ MOTION TO VACATE 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.**

ORDERED on \_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

COPIES TO:  
Petitioner (or his or her attorney)  
Respondent (or his or her attorney)  
General Magistrate

IN THE CIRCUIT COURT OF THE \_\_\_\_\_ JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, FLORIDA

Case No: \_\_\_\_\_  
Division: \_\_\_\_\_

\_\_\_\_\_,  
Petitioner,

and

\_\_\_\_\_,  
Respondent.

### NOTICE OF HEARING BEFORE GENERAL MAGISTRATE

[fill in **all** blanks]

TO: \_\_\_\_\_

There will be a hearing before General Magistrate *{name of general magistrate}* \_\_\_\_\_,  
on *{date}* \_\_\_\_\_, at *{time}* \_\_\_ m., in Room \_\_\_\_\_ of the \_\_\_\_\_  
Courthouse, on the following issues: \_\_\_\_\_

\_\_\_\_\_hour(s) \_\_\_\_\_ minutes have been reserved for this hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

**If the matter before the General Magistrate is a Motion for Civil Contempt/Enforcement, FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.**

**YOUR ABILITY TO PAY IS A CRITICAL ISSUE IN THIS CONTEMPT PROCEEDING.**

**YOU ARE STRONGLY URGED TO PREPARE AND FILE A FAMILY LAW FINANCIAL AFFIDAVIT PRIOR TO THE HEARING IN ORDER FOR THE COURT TO BE ABLE TO ELICIT RELEVANT FINANCIAL INFORMATION FROM YOU.**

**YOU WILL BE PROVIDED AN OPPORTUNITY AT THE HEARING TO RESPOND TO STATEMENTS AND QUESTIONS ABOUT YOUR FINANCIAL STATUS.**

**THE COURT MUST MAKE AN EXPRESS FINDING THAT YOU HAVE THE ABILITY TO PAY.**

PLEASE GOVERN YOURSELF ACCORDINGLY.

**This part to be filled out by the court or filled in with information you have obtained from the court:**

**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:**

---

*{identify applicable court personnel by name, address, and telephone number}*  
**at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

**SHOULD YOU WISH TO SEEK REVIEW OF THE ~~REPORT AND RECOMMENDATION~~ RECOMMENDED ORDER MADE BY THE GENERAL MAGISTRATE, YOU MUST FILE ~~EXCEPTIONS~~ A MOTION TO VACATE IN ACCORDANCE WITH RULE 12.490(~~fe~~), FLORIDA FAMILY LAW RULES OF PROCEDURE. YOU WILL BE REQUIRED TO PROVIDE THE COURT WITH A RECORD SUFFICIENT TO SUPPORT YOUR ~~EXCEPTIONS~~ MOTION TO VACATE, OR YOUR ~~EXCEPTIONS~~ MOTION TO VACATE 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.**

YOU ARE HEREBY ADVISED THAT IN THIS CIRCUIT:

- a.  electronic recording is provided by the court. A party may provide a court reporter at that party's expense.
- b.  a court reporter is provided by the court.
- c.  no electronic recording is provided by the court and the court does not provide a court reporter. A party may provide a court reporter at that party's expense.

If you are represented by an attorney or plan to retain an attorney for this matter you should notify the attorney of this hearing.

If this matter is resolved, the moving party shall contact the General Magistrate's Office to cancel this hearing.

I certify that a copy of this document was [ check **one** only] (  ) mailed (  ) faxed and mailed (  ) hand delivered to the person(s) listed below on {date} \_\_\_\_\_.

**Other party or his/her attorney:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party

Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
Fax Number: \_\_\_\_\_

**IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:**

[fill in **all** blanks] This form was prepared for the: *{choose only one}* ( ) Petitioner ( ) Respondent

This form was completed with the assistance of:

*{name of individual}* \_\_\_\_\_,

*{address}* \_\_\_\_\_,

*{city}* \_\_\_\_\_, *{state}* \_\_\_\_\_, *{telephone number}* \_\_\_\_\_.