**NASSAU COUNTY’S PROCEDURES FOR SCHEDULING HEARINGS BEFORE THE MAGISTRATE**

Attorneys may email Michele Johnson, Case Manager, Family Court Services, at EMjohnson@coj.net to schedule hearings before the Magistrate. Pro se parties please refer to [https://www.jud4.org/Family-Court-Services-(Self-Help).aspx](https://www.jud4.org/Family-Court-Services-%28Self-Help%29.aspx)

**Before emailing** to schedule a hearing, the attorney **MUST:**

1. **Have actually filed an appropriate pleading or motion requesting relief**
2. **Include the Court docket# associated with the pleading or motion requesting relief;**
3. **Have already served the opposing party;**
4. **Have already filed a financial affidavit on behalf of his/her client (if any financial relief is being sought, including attorney’s fees);**
5. **Copy opposing counsel or the pro se litigant on the email requesting a hearing.**

If the Court docket does not indicate service of process, then the attorney requesting the hearing must email proof of service of process to the Family Law Coordinator prior to scheduling a hearing. Likewise, if the Court docket does not show that a financial affidavit has been filed, then the attorney requesting the hearing must email a copy of his /her client’s financial affidavit to the Family Law Coordinator prior to scheduling a hearing.

**Hearings limited to one motion may be scheduled for a maximum of 1 hour. Hearings involving cross motions may be scheduled for a maximum of 2 hours. Anything in excess of these times must be pre-approved by the Magistrate.**

If it becomes necessary to cancel a hearing, the attorney representing the moving party should email a courtesy copy of the notice of cancellation to the Case Manager at EMjohnson@coj.net.

IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT,

IN AND FOR NASSAU COUNTY, FLORIDA

 Case No.:

Division:

IN RE: THE MARRIAGE/MATTER OF:

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

and

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, Respondent,

**ORDER OF REFERRAL TO GENERAL MAGISTRATE**

**THIS CASE IS REFERRED TO GENERAL MAGISTRATE** **DEIRDRE A. WALLACE** 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 ISSUE(S) REFERRED IS/ARE **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**and any other matters related thereto.

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.

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 contact Family Court Services with any procedural questions.

**A REFERRAL TO A GENERAL MAGISTRATE REQUIRES THE CONSENT OF ALL PARTIES. YOU ARE ENTITLED TO HAVE THIS MATTER HEARD BEFORE A CIRCUIT 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 ORDER OF REFERRAL.**

If a timely objection is filed by either party, the objecting party must serve a copy of the objection on all parties, the division judge, and the general magistrate. This matter shall be returned to the Circuit Judge to which the case is assigned with a notice stating the amount of time needed for the hearing.

**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 REQURIED 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.**

YOU ARE ADVISED THAT IN THIS CIRCUIT ELECTRONIC RECORDING IS PROVIDED BY THE COURT. A PARTY MAY PROVIDE A COURT REPORTER, IF DESIRED, AT THAT PARTY’S EXPENSE.

**ORDERED** on DDDD.

 **JJJJ**

Copies to:

Petitioner

Respondent

FCS (emjohnson@coj.net)

IN THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT,

IN AND FOR NASSAU COUNTY, FLORIDA

 CASE NO.:

 DIVISION:

 ,

 Petitioner,

and

 ,

 Respondent.

**ORDER OF REFERRAL TO GENERAL MAGISTRATE AND NOTICE OF HEARING**

**THIS CASE IS REFERRED TO GENERAL MAGISTRATE DEIRDRE A. WALLACE** 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 ISSUE(S) REFERRED IS/ARE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and any other issues related thereto.

**The parties shall appear before Magistrate Wallace on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_ virtually via Zoom[[1]](#footnote-1) for an evidentiary hearing on the above-referenced issues. \_\_\_\_\_\_ minutes have been reserved for this hearing.**

If this is a case involving time sharing, each party shall **file a proposed parenting plan** and email a copy in Word format to emjohnson@coj.net at least three **(3) business days in advance of the hearing**. The proposed parenting plan should also be included as an exhibit.

The General Magistrate is authorized to administer oaths and conduct hearings, which may include taking of evidence, and shall submit a recommended order to the court that includes findings of fact and 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 contact Family Court Services with any procedural questions.

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YOU ARE ADVISED THAT IN THIS CIRCUIT ELECTRONIC RECORDING IS PROVIDED BY THE COURT. A PARTY MAY PROVIDE A COURT REPORTER, IF DESIRED, AT THAT PARTY’S EXPENSE.

All unrepresented parties shall file a designation of email address with the Clerk of Court and register for email service with the Florida Court’s E-filing Portal at www.myflcourtacess.com forthwith, if they have not already done so. A sample designation of email address can be found at the link copied below.

<https://www.flcourts.gov/content/download/403113/file/915.pdf>

**ORDERED** on DDDD.

 **JJJJ**

Copies to:

Petitioner

Respondent

FCS (emjohnson@coj.net)

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| --- |
| **REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES: 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 the ADA Coordinator Michelle Watson, Robert M. Foster Justice Center, 76347 Veterans Way, Yulee, FL 32097, Telephone 904-548-4917, email ADA@nassauclerk.com 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.** |

**ZOOM ADDENDUM**

Pursuant to the local administrative order entered on June 15, 2021, effective June 21, 2021, the Nassau County Phase 2 Operational Plan has been rescinded. **In person court appearances are now permissible. Facemasks and distancing are optional. However, Zoom will be the default for scheduled hearings, unless the parties file notice with the Clerk of Court that at least one (1) party intends to appear in person at least three (3) business days before the hearing.** Said notice shall also be provided to the Court via email to emjohnson@coj.net, and to all other parties by email, if possible.

Unless otherwise notified by Court Order or the Court’s Judicial Assistant, the invitation to join the Court’s Zoom™ Meeting for all hearings is:

<https://zoom.us/j/4653973257>

Meeting ID: 465 397 3257

Dial by your location +1 (888) 475 4499 or 1 (877) 853 5257 US Toll-free

For Zoom hearings involving exhibits, and/or copies of cases cited, the parties are directed to send these to the Family Law Case Manager, emjohnson@coj.net , via email at least three (3) business days in advance of the hearing with copies to all parties who have not been defaulted as it custom and required by the Rules.  **When the number of pages of the hearing materials exceeds 50 pages, hard copies should be provided to the Court at least three (3) business days in advance of the hearing.** Emailed exhibits should be sent as one PDF file, or as few PDFs as possible, and include an index, cover sheets before each exhibit, and should be easily identified. **The Court’s physical and mailing address is 76347 Veterans Way, Yulee, FL 32097.**

Parties shall name their Zoom profile with their legal names such that they can be easily identified. Those appearing before the Court without video via Zoom that intend to testify will likely need to be in the presence of a notary public for the purposes of being identified and sworn in. Those appearing remotely by video via Zoom planning to testify should be prepared to furnish the Court with a **picture identification such as their driver’s license via video.**

**If this is a case involving time sharing, each party shall file a proposed parenting plan and email a copy in Word format to** **emjohnson@coj.net** **at least three (3) business days in advance of the hearing. The proposed parenting plan should also be included as an exhibit.**

1. The attached Zoom Addendum is incorporated herein by reference. [↑](#footnote-ref-1)