

The following is not intended to be legal advice. The court cannot give you legal advice. If you are unsure about how to proceed, you are encouraged to seek advice from a lawyer. For procedural questions only, you may call the Court's Information and Resource Center at 727-582-7200.

Please review Rule 12.490, Florida Family Law Rules of Procedure, which governs proceedings before General Magistrates. Also review other appropriate Florida Family Law Rules of Procedure. A pro se litigant acts as his/her own attorney and is subject to the same procedural rules as a member of the bar.

Numbers (1) and (2) below are only a summary. Please read, or listen to, the entire "Script for St. Petersburg Hearings Line".

(1) **General Magistrate Hearings:** Parties prepare their own Notices and Orders of Referral and mail the originals, with 2 copies of each and a stamped addressed envelope for **each** party, to the General Magistrate's office as further explained at 727-582-7891 (or read instructions for the Hearings Line Script). The GM's office then assigns a date and time for the hearing, has the Order of Referral signed, and mails copies of the Notice and Order of Referral to each party. **DO NOT TAKE THESE DOCUMENTS TO THE CLERK OF THE COURT.**

(2) **Child Support Hearings** (Cases to which the Department of Revenue is not a party): Same as above except that the Child Support Hearing Officer Notice of Hearing form should be used and no Order of Referral is needed. **DO NOT TAKE THESE DOCUMENTS TO THE CLERK OF THE COURT.**

What the General Magistrate may not hear:

A family law general magistrate is unable to handle emergency matters or matters involving criminal contempt. If the Florida Department of Revenue is a party to the case and the case involves **only** child support, the case **must** be heard only by the Title IV-D Child Support Hearing Officer instead of the General Magistrate. If there are mixed issues, e.g. child support and time-sharing, the General Magistrate will hear all issues only if the other parent, Department of Revenue and Office of the Attorney General/Child Support Enforcement are properly served/noticed.

Setting the hearing:

Unrepresented (pro se) litigants are directed to call the court's Information and Resource Center (727-582-7200) for assistance in setting their hearings. Only St. Petersburg section cases (9,12,17,24) may set hearings before the St. Petersburg General Magistrate, unless a case specific order is entered to the contrary. Your section number is the last one or two numbers after the last dash in your case number. These are the number(s) following "FD". Attorneys' offices **only**

may set hearings by calling the number given above and asking to be transferred to the General Magistrate's Assistant.

Procedural Requirements:

In a divorce or paternity action, the required Parent Education and Family Stabilization Course should be completed prior to the hearing and **must** be completed by the person who will have the child in his/her care the majority of the time. In cases involving financial relief (initial or modified orders of alimony or child support, distribution of assets and debts, etc.), both parties are required to comply with the requirements of Rule 12.285, Fla. Fam. L.R.P., regarding filing and exchange of financial information. If a party does not comply with mandatory financial disclosure, this should be addressed **before** the final hearing. A party may file a Motion to Compel asking the court to order the other party to disclose information to them if the other party doesn't disclose it voluntarily.

Telephonic Appearance:

There is no set policy for telephonic appearances. Each request is handled on a case by case basis by calling 727-582-7559. Please do not wait until the last minute to make your request for telephonic appearance.

Order of Referral and Notice of Hearing:

For unrepresented (pro se) parties, the Information and Resource Center (727-582-7200) will give the parties the number for an instructions phone line to hear instructions for preparing the Notice of Hearing and, if needed, the Order of Referral. The hearing cannot take place as scheduled unless these phone line instructions are carefully followed. Notice of Hearing and Order of Referral forms are available online at www.flcourts.org – Self-Help – Family Law Forms. Please choose the package under Rule 12.920 , **unless** your case involves child support issues only, in which case you will want to choose the package under Rule 12.921 instead. If you do not have a printer, you may come to the Office of the General Magistrate at 501 First Ave., N., (5th St. entrance), Room A220, St. Petersburg, Florida, and take a General Magistrate Notice Package or Child Support Hearing Officer Notice Package from the metal rack outside the office door.

If represented by an attorney, the moving party's attorney is responsible for preparing, and submitting to the Section Judge, the Order of Referral to the General Magistrate, together with addressed stamped envelopes. The attorney is also responsible for preparing and serving the Notice of Hearing.

After the Hearing:

Often the General Magistrate will prepare the paperwork himself/herself. Only if the General Magistrate instructs you to do so, will you be responsible for preparing the Magistrate's written recommendations and the order confirming the recommendations. If you are instructed to prepare the paperwork, you will need to prepare an original and enough copies for all parties in the case. Remember that there is an exception period after the hearing unless all parties agree to

waive it. If the exception period is not waived, you will need to provide double the number of written recommendations.

Where the hearing will take place:

The hearing before the St. Petersburg General Magistrate will take place at 501 First Ave., N., St. Petersburg, Florida, Room A220. **ALTHOUGH THIS IS A FIRST AVE. ADDRESS, YOU MUST ENTER FROM THE FIFTH ST., N. ENTRANCE, WHICH IS UNDER A RED CANOPY, JUST SOUTH OF CITY HALL AND ON THE WEST SIDE OF 5TH ST., N.**

Envelopes and Postage:

You (or your attorney) are required to bring four envelopes to the hearing. You are also required to bring enough postage to stamp each envelope with three first class stamps. You will be told at the hearing how many envelopes to address and how much postage to put on each envelope.

Note: If one party is outside the United States you will need to provide enough postage for two 4-oz. letters to the foreign destination.