

ST. PETERSBURG GENERAL MAGISTRATE/HEARING OFFICER INSTRUCTIONS LINE

THE FOLLOWING IS THE SCRIPT FOR THE INSTRUCTIONS PHONE LINE 727-582-7891. THIS DOCUMENT WAS DESIGNED TO BE READ ONTO THE PHONE LINE. IT HAS BEEN COPIED FOR YOUR CONVENIENCE IN CASE YOU PREFER TO READ IT.

You have reached the General Magistrate Hearings Line in St. Petersburg, Florida. The following instructions are designed to help you get a hearing date and time for your motion or petition. Dialing -0- will take you back to the beginning of this message. So, you won't want to dial -0- unless you want to hear the message again from the beginning. You are only ready for this information if you have called the Information and Resource Center of the Court (also known as the pro se office) at 727-582-7200 and been told that your case is ready to be set for hearing. If you have previously listened to this entire message from start to finish and you want to hear just the instructions again, you may press 2 now. Do not do this unless you have already listened to the entire message.

The same person acts as a General Magistrate **and** a Child Support Hearing Officer. However, this line is not for the child support cases in which the Dept of Revenue is a party. Those cases must be heard by a different Hearing Officer.

THESE INSTRUCTIONS WILL TELL YOU HOW TO PREPARE A NOTICE OF HEARING AND, IF NEEDED, AN ORDER OF REFERRAL. AFTER DOING THIS, YOU MUST MAKE TWO COPIES OF EACH DOCUMENT. DO NOT TAKE YOUR NOTICE OF HEARING AND ORDER OF REFERRAL TO THE CLERK OF THE COURT WHERE YOU FILED THE REST OF YOUR PAPERWORK. IF YOU WANT TO BE GIVEN A HEARING DATE, YOU MUST EITHER BRING OR MAIL THE DOCUMENTS TO THE OFFICE OF THE GENERAL MAGISTRATE.

This is a lengthy message. If you have computer access, you will find it is easier to read the script online at www.jud6.org. Choose "Representing Yourself in Family Court". Then, under "General Information", choose "Family Law Division" and choose "Script for St. Petersburg Hearings Line". If you don't have computer access, you may come to the Office of the General Magistrate and pick up a copy of the directions in writing. They will be in a forms' rack just outside the General Magistrate's Office door at Room A220, 501 First Ave., N., St. Petersburg, FL.

When you represent yourself in court, you are acting as your own attorney. **Following these instructions carefully will help you avoid the disappointment and frustration you will experience if your hearing is cancelled because you left something out.** These instructions apply only to Sections 9,12,17 and 24 of the Family Division of the Court. You will find your section number after the letters FD in your case number.

If you do not already have your Notice of Hearing and Order of Referral forms, you can find them online at www.flcourts.org – choose Self-Help – then choose Family Law Forms. You will find your forms under the heading “PROCEDURAL”. Please choose the package under Rule 12.920 if your case involves anything other than just child support - some examples would be dissolution of marriage, parenting-plans, time-sharing with minor children. If your case involves child support issues **only**, you will want to choose the package under Rule 12.921 instead because your case will be a Child Support Hearing Officer case.

If you do not have a computer and printer, you may come to the Office of the General Magistrate at 501 First Ave., N., 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. You will need these forms before proceeding with the rest of this message.

You will be required to write your own contact information on these forms, both address and telephone number. Please understand that the other party is going to see this information. If issues of domestic violence cause you to fear revealing contact information, you may ask an attorney or the pro se office for ways to avoid revealing your information. You will want to do this because you must give some address in this paperwork, at which you can receive mail. And it is important that you not endanger yourself.

A few more things you should know about: You will hear me talk about the “other party” in this message. The “other party” is the other person in your case, for example, your spouse, former spouse or the other parent of your child. You are also a “party” to your case.

If you were previously represented by an attorney in this case and the attorney has not formally withdrawn from the case, please hang up and call the attorney and request that the attorney withdraw. If there is not an order in your case releasing your attorney before the date and time of your hearing, your hearing might be cancelled.

If the other party to your case has an attorney and you have not yet spoken with **that** attorney’s office, please write a note to the General Magistrate’s assistant and include the note in your paperwork. Tell the assistant the name and phone number of the other party’s attorney so that the General Magistrate’s Office can set your hearing at a time that the attorney isn’t in another trial or hearing.

If you are asking for a Final Hearing on a Petition or Supplemental Petition and there are financial issues, the court will need a Financial Affidavit from both parties. If the other party has not filed a Financial Affidavit and will not do so voluntarily, you will need to file a Motion to Compel and set that motion for hearing before a Final Hearing can take place.

If, at any time before the Final Hearing, you or the **other** party are, or become, incarcerated in jail or prison, you must **immediately** inform the pro se office so a special order may be entered. If you fail to do this, your hearing will be cancelled.

You will receive only procedural directions on this line. The court cannot give you legal advice and the following is not intended as legal advice. If you need legal advice, you must consult an attorney. The pro se office can give you information about free or low-cost options for speaking with an attorney.

Now you are ready to fill out your forms. You will want to have your forms in front of you as you listen to this message. You need the one that is entitled **Notice of Hearing**. If your case is about child support issues ONLY, you need the Hearing Officer Notice form and do **not** need an order of referral. Otherwise, you need the General Magistrate Notice form and you **will** also need the Order of Referral form. If you see a **Motion** for Referral to GM in your package, please ignore it. It isn't needed. If you don't yet have your forms, wait until you have them to proceed. The directions will not make much sense to you without them. **Press 2 now to hear your instructions.**

REMEMBER THAT YOU WILL MAIL OR DELIVER YOUR FORMS AND COPIES TO THE OFFICE OF THE GENERAL MAGISTRATE, NOT TO THE OFFICE OF THE CLERK OF THE COURT.

STEP ONE: Fill out your Notice of Hearing form. Fill in page one with the *Sixth* Judicial Circuit (that's Sixth), *Pinellas* County (that's Pinellas), your case number, case names. Where it says "TO", fill in the name of the other party. Write the name of the Hearing Officer/General Magistrate in the appropriate blank. Her name is Kay – middle initial D. (as in David) Sloan. Leave blank the date and time and the amount of time reserved. The General Magistrate's Office will fill in that information.

Fill in the Room #. It is A220. There may not be room on the Notice form to write in the address where the hearing will take place. So, on the short line provided for filling in the courthouse name, please put an asterisk (the symbol that is shaped like a star). Then, on the bottom of the page put another asterisk and write the following: 501 First Ave., N., St. Petersburg, FL 33701. Now write in the issues you are setting for hearing. Some issue examples, to name just a few possibilities, would be: final hearing in divorce case, temporary time-sharing, contempt for failure to comply with Parenting Plan. Please note that you should not put any issue in the Notice of Hearing that isn't covered by the motion or petition you are setting for hearing.

Now fill in the blank lines at the bottom of page one. For "name", write "Human Rights Office." For "address", write "400 S. Ft. Harrison Ave., #500, Clearwater, FL 33756". For "telephone", write "727-464-4062". If you picked up your forms at the Office of the General Magistrate, those lines will already be filled in for you. On page two, check (a), "electronic recording". Please note there will **not** be a place to check "electronic recording" if you are using a Hearing Officer Notice form. That line appears only in the General Magistrate Hearing form. Fill out all of the information about the other party, date the document with the date you are signing it, sign the document and fill in your address and phone number. **Leave the date of delivery blank.** The GM's office will be mailing the completed form for you and we will fill in that line.

STEP TWO: If your hearing involves any issue other than child support only, you should have used a General Magistrate notice form and you will now need to fill out the Order of Referral form. If you used a Hearing Officer Notice form because your case is about child support issues only, you will skip this step entirely. For Orders of Referral, fill out the case specific information at the top of the form. Fill in the issues and remember only to write issues that are covered by the Petition or Motion you have filed. Write in the General Magistrate's name, just as you wrote it in your notice. Regarding the "different rules", fill in the blank marked "other" with the following phone number 727-582-7200. On page two, check (a), "electronic recording". Leave the lines blank for the date and the signature of the Circuit Judge.

STEP THREE: Make two copies of each form you've completed. You will need the original and two copies, for a total of three of each. Next obtain a very large envelope (such as a manila envelope) and at least two legal size envelopes (these are the ones about 4" x 9.5 "). Address one legal sized envelope to yourself and one to the other party **OR** the other party's attorney if the other party is represented in this case. Please leave the return address area of the envelopes blank. It is very important that you have an accurate address for the other party or attorney. And the address must include the accurate zip code. **When you get to the hearing, if the GM isn't satisfied the other party has been properly noticed at a correct address, your hearing will be cancelled.** Stamp the envelopes. Each legal sized envelope will need one first class stamp. Do not seal the envelopes. Please note that occasionally there will be other people who must be noticed of the hearing. Some examples are: A Guardian ad Litem, if one was *previously* appointed by the court and not discharged, or the person with whom your child is living if that person is not one of the child's parents. If there are any additional persons who must be noticed, please prepare and stamp legal size envelopes for them as well.

Now put into the large manila envelope the following: your legal size, addressed, stamped envelopes, the original completed Notice of Hearing and 2 copies and, if applicable, the original completed Order of Referral and 2 copies of it as well. Stamp the large envelope with sufficient postage and mail the items to: Office of the General Magistrate, 501 First Ave., N., Room A220, St. Petersburg, FL 33701. The General Magistrate's Office will then take care of assigning you a hearing date and time, getting your Order of Referral signed and copies of everything mailed to you and the other party. You will receive the date and time of your hearing in the mail **Congratulations! This is the end of your instructions. We look forward to seeing you soon.**